



SPONSORS:      Reps. Gilligan      Sens. Adams  
                              VanSant                McDowell  
   DeLuca  
   Cook

HOUSE OF REPRESENTATIVES

142ND GENERAL ASSEMBLY

HOUSE BILL NO. 5

JANUARY 30, 2003

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1            Section 1. The several amounts named in this Act, or such part thereof as may be necessary and essential to  
2            the proper conduct of the business of the agencies named herein, during the fiscal year ending June 30, 2004, are  
3            hereby appropriated and authorized to be paid out of the Treasury of the State by the respective departments and  
4            divisions of State Government, and other specified spending agencies, subject to the limitations of this Act and to the  
5            provisions of Title 29, Part VI, Delaware Code, as amended or qualified by this Act, all other provisions of the  
6            Delaware Code notwithstanding. All parts or portions of the several sums appropriated by this Act which, on the last  
7            day of June 2004, shall not have been paid out of the State Treasury, shall revert to the General Fund; provided,  
8            however, that no funds shall revert which are encumbered pursuant to Title 29, Section 6521, Delaware Code.

9            The several amounts hereby appropriated are as follows:



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## Year ending June 30, 2004

Personnel		
NSF	ASF	GF

ASF	GF
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ASF	GF
-----	----

		28.0
		28.0

Travel  
Mileage - Legislators  
Other - Travel

## Supplies and Materials

Other Items:

House Committee Expenses

## TAL -- General Assembly - H

	3,786.1
	58.2
	37.6
	400.0
	40.0
	30.0
	323.6
	30.0
	4,705.5

		17.0
		17.0

## Travel

Other - Travel

## Contractual Services

## Supplies and Materials

## Capital Outlay

Other Items:

Advertising - Senate Substance Abuse Committee

### Expenses - Senate Members

## Senate Committee Expenses

	2,280.5
	52.3
	10.2
	192.0
	35.0
	45.0
	35.0
	175.1
	75.0
	2,900.1

Travel

## Legislative Travel

## Contractual Services

## Supplies and Materials

Other Items:

Council of State Governments

Delaware River Basin Commission

## Southern Governors Conference

National Conference of State Legislatures

Eastern Trade Council

## Legislation for Gaming States

Interstate Agriculture Commission

	18.0
	100.0
	40.0
	0.5
	92.2
	392.0
	4.7
	80.4
	3.0
	3.0
	25.0
	758.8



**(01-00-00) LEGISLATIVE**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(01-08-00) Legislative Council**

**(01-08-01) Research**

		19.0
		19.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Sunset Committee Expenses  
Technical Advisory Office  
Printing - Laws and Journals

	1,131.6
	18.3
	159.1
	119.7
	36.0
	4.5
	50.0
	38.5
	1,557.7

TOTAL -- Division of Research

**(01-08-02) Office of the Controller General**

		15.0
		15.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Family Law Commission Expenses  
Contingencies:  
Juvenile Detention Oversight Committee  
JFC/CIP  
U. of D. Senior Center Formula Update  
Internship  
Tricentennial Commission  
Legislative Council  
Legal - Neighborhood Schools  
Clean Air Policy Committee

	1,190.8
	14.4
	380.9
	70.0
	2.0
	8.3
	15.0
	10.0
	25.0
	10.0
	50.0
	25.0
	50.0
	20.0
	1,871.4

TOTAL -- Office of the Controller General

**(01-08-03) Code Revisors**


Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Code Revisors

	1.1
	220.8
	0.5
	222.4

**(01-08-06) Commission on Uniform State Laws**


Travel  
Contractual Services  
Supplies and Materials  
TOTAL -- Commission on Uniform State Laws

	17.0
	18.1
	0.2
	35.3

		34.0
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**TOTAL -- Legislative Council**

	3,686.8
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		79.0
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**TOTAL -- LEGISLATIVE**

	12,051.2
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149.4	2,463.0
149.4	2,463.0

382.1	2,106.6
12.0	13.0
798.1	55.7
39.6	26.0
35.0	
1,266.8	2,201.3

1,266.8	2,201.3
1,266.8	2,201.3

	15,288.0
	53.2
	962.5
	229.7
	56.0
	16,589.4

	16,589.4
	16,589.4

132.4	6,583.5
	11.0
	182.1
	74.2
4.0	7.1
136.4	6,857.9

136.4	6,857.9
136.4	6,857.9



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NSF	ASF	GF		ASF	GF
			<b>(02-08-00) Family Court</b>		
3.0	63.0	265.0	Personnel Costs	2,863.6	13,869.9
			Travel	12.3	30.0
			Contractual Services	217.5	457.9
			Supplies and Materials	62.2	126.3
			Capital Outlay	48.0	
3.0	63.0	265.0	<b>TOTAL -- Family Court</b>	3,203.6	14,484.1
3.0	63.0	265.0	(-10) Family Court	3,203.6	14,484.1
3.0	63.0	265.0	<b>TOTAL -- Internal Program Unit</b>	3,203.6	14,484.1
			<b>(02-13-00) Justices of the Peace Courts</b>		
		245.0	Personnel Costs		11,690.9
			Travel		9.4
			Contractual Services		1,240.3
			Energy		93.2
			Supplies and Materials		131.2
			Capital Outlay		12.5
			Debt Service		362.5
		245.0	<b>TOTAL -- Justices of the Peace Courts</b>		13,540.0
		245.0	(-10) Justices of the Peace Courts		13,540.0
		245.0	<b>TOTAL -- Internal Program Unit</b>		13,540.0

**(02-00-00) JUDICIAL****Personnel**

NSF	ASF	GF
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**\$ Program**

ASF	GF
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**\$ Line Item**

ASF	GF
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**(02-17-00) Administrative Office of the  
Courts - Court Services**

4.0		74.5
4.0	1.0	74.5

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Retired Judges  
     Continuing Judicial Education  
     Victim Offender Mediation Program  
     Conflict Attorneys  
     CASA Attorneys  
     Family Court Civil Attorney  
     Elder Law Program  
     Interpreters  
     Court Appointed Attorneys/Involuntary  
     Commitment  
     New Castle County Court House  
**TOTAL -- Administrative Office of the  
Courts - Court Services**

	4,237.4
	32.5
	1,445.1
	19.6
	391.6
	220.9
	32.5
	13.3
424.8	
	1,587.8
	140.0
	275.1
	50.0
	193.9
	105.3
93.6	339.1
518.4	9,084.1

4.0	1.0	29.0
		8.0
		33.0
		4.5
4.0	1.0	74.5

(-01) Office of the State  
     Court Administrator  
 (-03) Office of State Court  
     Collections Enforcement  
 (-04) Judicial Information Center  
 (-05) Law Libraries  
**TOTAL -- Internal Program Units**

518.4	5,312.1
	445.2
	2,822.4
	504.4
518.4	9,084.1

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\$ Line Item	
ASF	GF

439.7	1,167.0
29.0	25.4
82.7	130.3
9.0	22.8
6.0	1.6
	3.0
2,500.0	50.0
1.5	
3,067.9	1,400.1

3,067.9	418.8
	455.9
	72.3
	453.1
3,067.9	1,400.1

8,342.5	66,619.9
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**(10-01-01) Office of the Governor**  
 Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Other Items:  
     Woodburn Expenses  
     Contingency-Other Expense  
**TOTAL -- Office of the Governor**

**(10-02-00) Office of the Budget**

**TOTAL -- Office of the Budget**

(-01) Office of the Budget  
Administration  
(-03) Insurance Coverage Office  
(-04) Contingencies and One-Time  
Items  
(-06) Budget Commission  
(-08) Statistical Analysis Center  
TOTAL -- Internal Program Units

1,228.9	6,053.0
16,207.4	1,978.6
24,500.0	43,985.5
	50.0
60.6	539.7
41,996.9	52,606.8

**(10-00-00) EXECUTIVE**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(10-03-00) Delaware Economic Development Office</b>						
<b>(10-03-01) Office of the Director</b>						
		27.0				1,630.3
						23.6
						211.6
					150.0	
						16.0
						10.0
					1,200.0	
						5.0
						5.0
						50.0
					850.0	
						15.4
		27.0			2,200.0	1,966.9
<b>(10-03-02) Delaware Tourism Office</b>						
	10.0				522.0	
					20.2	
					880.5	
					8.5	
					10.0	
					75.0	
					200.0	
					0.5	
					0.8	
					0.8	
					0.8	
					250.0	
					45.0	
	10.0				2,014.1	
<b>(10-03-03) Delaware Economic Development Authority</b>						
	4.0	15.0			239.1	1,131.7
					20.0	39.4
					634.0	
					10.0	14.9
					1.5	
					30.0	10.0
					125.0	
					350.0	
					300.0	
						200.0
						75.0
						65.0
						1,956.0
	4.0	15.0			1,709.6	3,492.0
	14.0	42.0			5,923.7	5,458.9

**TOTAL -- Delaware Economic Development Office**

[illegible]

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**(10-00-00) EXECUTIVE**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(10-07-00) Criminal Justice</b>						
<b>(10-07-01) Criminal Justice Council</b>						
14.2		12.8				740.8
						1.3
						25.6
						3.8
						8.9
			155.4			23.1
						117.2
14.2		12.8			155.4	920.7
<b>(10-07-02) Delaware Justice Information System</b>						
		10.0				640.6
						3.8
						327.5
						14.9
		10.0				986.8
<b>TOTAL -- Criminal Justice</b>						
14.2		22.8			155.4	1,907.5
<b>(10-08-00) Delaware State Housing Authority</b>						
<b>(10-08-01) Delaware State Housing Authority</b>						
6.0	50.0				2,670.8	
					106.5	
					911.2	
					61.2	
					110.8	
					20.0	
					100.0	
					155.0	
					755.0	
					28,800.0	3,304.0
					500.0	
					1,665.0	
						338.9
6.0	50.0				35,855.5	3,642.9
<b>TOTAL -- Delaware State Housing Authority</b>						
<b>TOTAL -- EXECUTIVE</b>						
39.2	161.5	181.1			94,801.4	75,372.4

**(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION**

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			(11-01-00) Office of the Chief Information Officer				
		4.0	Personnel Costs				463.1
			Travel				3.9
			Contractual Services				250.0
			Supplies and Materials				1.0
			Rental				20.0
		4.0	TOTAL -- Office of the Chief Information Officer				738.0
		4.0	(-01) Chief Information Officer		738.0		
		4.0	TOTAL -- Internal Program Units		738.0		
			(11-02-00) Technology Office				
	8.0	100.0	Personnel Costs			400.0	7,187.6
			Travel			75.0	26.0
			Contractual Services			5,575.0	600.0
			Supplies and Materials			15.0	9.0
			Capital Outlay			40.0	
			Rental			2,240.0	524.0
	8.0	100.0	TOTAL -- Technology Office			8,345.0	8,346.6
	1.0		(-01) Chief Technology Officer		157.8		
	3.0	54.0	(-02) Application Delivery	2,620.0	4,130.0		
	2.0	25.0	(-03) System Engineering	1,010.0	1,809.2		
	3.0	20.0	(-04) Telecommunications	4,715.0	2,249.6		
	8.0	100.0	TOTAL -- Internal Program Unit	8,345.0	8,346.6		
			(11-03-00) Operations Office				
	7.0	96.0	Personnel Costs			390.6	6,524.5
			Travel			39.7	36.6
			Contractual Services			11,590.0	1,661.7
			Energy				268.2
			Supplies and Materials			87.0	352.5
			Capital Outlay			98.6	9.3
			Debt Service				103.8
			Rental			1,711.5	11,258.8
	7.0	96.0	TOTAL -- Operations Office			13,917.4	20,215.4
	1.0		(-01) Chief Operating Officer	10,021.0	132.5		
	4.0	27.0	(-02) Business Office	857.4	3,040.8		
		13.0	(-03) External Operations & Enabling		1,201.2		
	3.0	55.0	(-04) Data Center & Operations	3,039.0	15,840.9		
	7.0	96.0	TOTAL -- Internal Program Unit	13,917.4	20,215.4		



**(11-00-00) DEPARTMENT OF TECHNOLOGY AND INFORMATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(11-04-00) Project Management Office - Major Projects</b>						
		3.0				335.7
						7.4
						75.0
						1.8
						1.0
						35.0
		3.0				455.9
<b>TOTAL -- Project Management Office - Major Projects</b>						
		1.0		252.7		
		1.0		101.6		
		1.0		101.6		
		3.0		455.9		
<b>TOTAL -- Internal Program Unit</b>						
	15.0	203.0	<b>TOTAL -- DEPARTMENT OF TECHNOLOGY AND INFORMATION</b>		22,262.4	29,755.9

**(12-00-00) OTHER ELECTIVE**

Personnel		
NSF	ASF	GF

		6.0
		6.0

**(12-01-01) Lieutenant Governor**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Other Items:  
Expenses - Lieutenant Governor

**TOTAL -- Lieutenant Governor**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

	385.5
	6.3
	22.8
	2.8
	7.7
	425.1

**(12-02-01) Auditor of Accounts**

	6.0	39.0
	6.0	39.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay

**TOTAL -- Auditor of Accounts**

362.7	2,232.2
5.0	20.4
309.9	371.2
8.4	12.9
5.4	29.9
691.4	2,666.6

**(12-03-00) Insurance Commissioner****(12-03-01) Regulatory Activities**

	25.0	
	25.0	

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Malpractice Review

**TOTAL -- Regulatory Activities**

1,684.8	
29.4	
259.8	
6.8	
22.4	
10.5	
2,013.7	

**(12-03-02) Bureau of Examination,  
Rehabilitation and Guaranty**

2.0	52.0	
2.0	52.0	

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Arbitration Program  
Contract Examiners  
TOTAL -- Bureau of Examination, Rehabilitation  
and Guaranty

2,417.9	
82.3	
900.8	
42.7	
398.4	
31.1	
12,850.0	
16,723.2	

**TOTAL -- Insurance Commissioner**

2.0	77.0	
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18,736.9	
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**(12-00-00) OTHER ELECTIVE**

Personnel		
NSF	ASF	GF

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

**(12-05-00) State Treasurer**

**(12-05-01) Administration**

	8.0	14.0
	8.0	14.0

Personnel Costs

Travel

Contractual Services

Supplies and Materials

Capital Outlay

Other Items:

Banking Services

Data Processing

Electronic Data Interchange

TOTAL -- Administration

490.6	850.4
20.2	6.6
130.1	103.7
9.4	9.9
25.5	
2,365.0	
50.0	
70.0	
3,160.8	970.6

**(12-05-03) Debt Management**

Expense of Issuing Bonds

Debt Service - Old

Debt Service - New

Debt Service - Local Schools

Debt Service - Solid Waste Authority

Debt Service - Refunding

Financial Advisor

TOTAL -- Debt Management

	358.9
	5.5
	13,192.6
	17,949.4
	26.7
	15,291.0
	85.0
	46,909.1

	8.0	14.0
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**TOTAL -- State Treasurer**

3,160.8	47,879.7
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2.0	91.0	59.0
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**TOTAL -- OTHER ELECTIVE**

22,589.1	50,971.4
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\$ Line Item	
ASF	GF

722.3	16,673.2
0.1	13.7
659.6	1,378.5
	36.3
0.3	61.4
75.1	17.0
148.8	
	40.0
452.8	
30.6	
618.8	
15.0	
1,646.2	
1,061.7	
5,431.3	18,220.1

49.2	9,385.7
	1.7
	567.2
	7.4
	57.3
	3.8
49.2	10,023.1

	353.8
	12.2
	22.7
	3.3
	392.0

5,480.5	28,635.2
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NSF	ASF	GF		ASF	GF
			<b>(20-01-00) Office of the Secretary</b>		
	8.0	30.0	Personnel Costs		492.2
			Travel		35.7
			Contractual Services		795.0
			Energy		
			Supplies and Materials		105.1
			Capital Outlay		164.4
			Debt Service		
			Other Items:		
			Delaware Heritage Commission		72.0
	8.0	30.0	<b>TOTAL -- Office of the Secretary</b>	1,592.4	2,164.3
	8.0	5.0	(-01) Administration	1,481.4	495.2
		5.0	(-02) Delaware Commission on Veterans Affairs		394.0
	10.0		(-03) Delaware Veterans Memorial Cemetery	90.0	697.7
	7.0		(-04) Veterans Cemetery Georgetown	21.0	391.5
	3.0		(-05) Delaware Heritage Commission		185.9
	8.0	30.0	<b>TOTAL -- Internal Program Units</b>	1,592.4	2,164.3
			<b>(20-02-00) Office of Human Relations</b>		
1.0		9.0	Personnel Costs		435.5
			Travel		5.2
			Contractual Services		20.5
			Supplies and Materials		1.5
			Other Items:		
			Human Relations Annual Conference	10.0	
1.0		9.0	<b>TOTAL -- Office of Human Relations</b>	10.0	462.7
1.0		9.0	(-01) Office of Human Relations	10.0	462.7
1.0		9.0	<b>TOTAL -- Internal Program Unit</b>	10.0	462.7
			<b>(20-03-00) Delaware Public Archives</b>		
	7.0	34.0	Personnel Costs	349.7	1,511.6
			Travel	4.0	1.8
			Contractual Services	21.6	164.2
			Supplies and Materials	15.0	88.0
			Capital Outlay	7.5	30.1
			Other Items:		
			Document Conservation Fund		20.0
			Historical Marker Maintenance		25.0
			Debt Service		1,012.0
	7.0	34.0	<b>TOTAL -- Delaware Public Archives</b>	397.8	2,852.7
	7.0	34.0	(-01) Delaware Public Archives	397.8	2,852.7
	7.0	34.0	<b>TOTAL -- Internal Program Unit</b>	397.8	2,852.7

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Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
(20-05-00) Corporations						
	93.0		Personnel Costs		4,738.1	
			Travel		20.0	
			Contractual Services		1,276.2	
			Supplies and Materials		66.6	
			Capital Outlay		360.0	
			Other Items:			
			Computer Time Costs		165.0	
		Technology Infrastructure Fund		2,500.0		
93.0		TOTAL -- Corporations		9,125.9		
	93.0		(-01) Corporations	9,125.9		
93.0		TOTAL -- Internal Program Unit	9,125.9			
(20-06-00) Historical and Cultural Affairs						
6.9	1.5	42.6	Personnel Costs		81.3	2,065.0
			Travel			5.2
			Contractual Services			233.7
			Energy			211.5
			Supplies and Materials			69.8
			Capital Outlay			14.5
			Other Items:			
			Art Object Refurbishing			15.0
			Museum Operations		20.4	30.0
			Museum Collections			15.0
			Museum Conservation Fund			37.0
			Museum Gift Shops		70.2	
			Museum Grounds		1.0	
			Museum Exhibits		13.0	
			Conference Center Operations		85.5	
			Conference Center Grounds		1.5	
			Museum Marketing		3.0	
			Museum Education		10.0	
			Dayett Mills		9.5	
			John Dickinson Plantation		19.6	
		Debt Service			236.9	
6.9	1.5	42.6	TOTAL -- Historical and Cultural Affairs		315.0	2,933.6
	1.0	6.0	(-01) Office of Administration	173.3	551.6	
6.4		5.6	(-03) Delaware State Historic Preservation Office		296.7	
0.5	0.5	31.0	(-04) Delaware State Museums	141.7	2,085.3	
6.9	1.5	42.6	TOTAL -- Internal Program Units	315.0	2,933.6	

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NSF	ASF	GF		ASF	GF	ASF	GF
<b>(20-07-00) Arts</b>							
3.0		6.0	Personnel Costs				350.1
			Travel				2.4
			Contractual Services				70.0
			Supplies and Materials				3.0
			Other Items:				
			Delaware Art				1,191.6
			Art for the Disadvantaged				10.0
3.0		6.0	<b>TOTAL -- Arts</b>				1,627.1
3.0		6.0	(-01) Office of the Director		1,627.1		
3.0		6.0	<b>TOTAL -- Internal Program Unit</b>		1,627.1		
<b>(20-08-00) Libraries</b>							
9.0		13.0	Personnel Costs				621.2
			Travel				4.0
			Contractual Services				153.7
			Energy				8.7
			Supplies and Materials				21.6
			Capital Outlay				7.0
			Other Items:				
			Library Standards				2,569.5
			Delaware Electronic Library				387.4
			DELNET- Statewide				100.0
			Public Education Project				15.0
			Debt Service				630.9
9.0		13.0	<b>TOTAL -- Libraries</b>				4,519.0
9.0		13.0	(-01) Libraries		4,519.0		
9.0		13.0	<b>TOTAL -- Internal Program Unit</b>		4,519.0		
<b>(20-15-00) State Banking Commission</b>							
	36.0		Personnel Costs			2,286.8	
			Travel			59.0	
			Contractual Services			362.0	
			Supplies and Materials			25.0	
			Capital Outlay			67.5	
	36.0		<b>TOTAL -- State Banking Commission</b>			2,800.3	
	36.0		(-01) State Banking Commission	2,800.3			
	36.0		<b>TOTAL -- Internal Program Unit</b>	2,800.3			
<b>19.9</b>	<b>145.5</b>	<b>134.6</b>	<b>TOTAL -- DEPARTMENT OF STATE</b>			<b>14,241.4</b>	<b>14,559.4</b>

**(25-00-00) DEPARTMENT OF FINANCE**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(25-01-00) Office of the Secretary**

		19.0
		19.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Information System Development  
    Debt Service

	1,484.6
	16.9
	184.0
	16.7
	1.5
1,845.0	
	1,018.5
1,845.0	2,722.2

**TOTAL -- Office of the Secretary**

		19.0
		19.0

(-01) Office of the Secretary

1,845.0	2,722.2
1,845.0	2,722.2

TOTAL -- Internal Program Unit

**(25-05-00) Accounting**

		36.0
		36.0

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    State Accounting Course

	2,243.6
	26.6
	432.3
	42.7
	62.1
	5.0
	2,812.3

**TOTAL -- Accounting**

		36.0
		36.0

(-01) Accounting

	2,812.3
	2,812.3

TOTAL -- Internal Program Unit

**(25-06-00) Revenue**

		213.0
	6.0	
	6.0	213.0

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Escheat  
    Delinquent Collections

	9,958.2
	27.4
	1,465.2
	4.7
	129.9
	80.5
195.0	
1,470.5	
1,665.5	11,665.9

**TOTAL -- Revenue**

	6.0	213.0
	6.0	213.0

(-01) Revenue

1,665.5	11,665.9
1,665.5	11,665.9

TOTAL -- Internal Program Unit



**(25-00-00) DEPARTMENT OF FINANCE**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(25-07-00) State Lottery Office**

	30.0	
	30.0	

Personnel Costs

Travel

Contractual Services

Supplies and Materials

Capital Outlay

**TOTAL -- State Lottery Office**

1,680.5	
50.0	
41,353.6	
47.9	
217.0	
43,349.0	

	30.0	
	30.0	

(-01) State Lottery Office

TOTAL -- Internal Program Unit

43,349.0	
43,349.0	

	36.0	268.0
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**TOTAL -- DEPARTMENT OF FINANCE**

46,859.5	17,200.4
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**(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES**

Personnel		
NSF	ASF	GF

5.0	3.0	31.0
5.0	3.0	31.0

**(30-01-00) Administration**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Payment in Lieu of Taxes  
Debt Service

**TOTAL -- Administration**

\$ Program	
ASF	GF

238.9	1,526.4
238.9	2,247.7

\$ Line Item	
ASF	GF

196.6	1,932.1
2.6	21.4
12.5	192.9
6.0	31.8
21.2	3.8
	65.0
	0.7
238.9	2,247.7

5.0	3.0	23.0
5.0	3.0	1.0
		2.0
		4.0
		1.0
5.0	3.0	31.0

(-10) Administration  
(-20) Office of Disability Affairs  
(-30) Public Integrity Commission  
(-40) Public Employment Relations Board  
(-50) Merit Employee Relations Board

**TOTAL -- Internal Program Units**

238.9	1,526.4
	98.8
	164.4
	330.3
	127.8
238.9	2,247.7

**(30-03-00) Regulation and Licensing**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
Real Estate Guaranty Fund  
Examination Costs  
Motor Vehicle Franchise Fund

**TOTAL -- Regulation and Licensing**

	58.0	
	58.0	

3,630.9	
110.9	
2,487.6	
66.9	
215.4	
10.0	
54.5	
15.0	
6,591.2	

	23.0	
	31.0	
	4.0	
	58.0	

(-20) Professional Regulation  
(-30) Public Service Commission  
(-50) Public Advocate

**TOTAL -- Internal Program Units**

2,323.0	
3,689.1	
579.1	
6,591.2	

**(30-00-00) DEPARTMENT OF ADMINISTRATIVE SERVICES**

NSF	ASF	GF
2.0	59.0	33.5
2.0	59.0	33.5

**(30-04-00) Support Services**

ASF	GF
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ASF	GF
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2,472.5	1,489.7
14.1	1.7
4,406.0	295.0
4.7	22.3
1,713.0	28.8
4,509.3	2.6
613.8	
13,733.4	1,840.1

	18.0	9.0
	32.0	
		5.5
	5.0	15.0
2.0	4.0	4.0
2.0	59.0	33.5

- (-10) Mail/Courier Services
- (-30) Printing and Publishing
- (-40) Fleet Management
- (-50) Service and Information Guide
- (-60) Contracting
- (-70) Delaware Surplus Services
- (-80) Food Distribution

1,949.3	417.4
2,231.5	
8,280.3	
72.7	374.3
100.0	825.9
294.4	
805.2	222.5
13,733.4	1,840.1

**(30-05-00) Facilities Management**

2.6	3.0	92.4
2.6	3.0	92.4

- Personnel Costs
- Travel
- Contractual Services
- Energy
- Supplies and Materials
- Capital Outlay
- Debt Service

130.4	4,191.8
24.9	
184.8	7,775.9
	5,087.2
221.1	1,641.8
121.4	
	18,507.5
682.6	37,204.2

2.6	3.0	92.4
2.6	3.0	92.4

(-10) Facilities Management  
TOTAL -- Internal Program Unit

682.6	37,204.2
682.6	37,204.2

**TOTAL DEPARTMENT OF  
ADMINISTRATIVE SERVICES**

9.6	123.0	156.9
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21,246.1	41,292.0
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**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

Personnel		
NSF	ASF	GF

53.9	35.6	438.2
		25.0
53.9	35.6	463.2

**(35-01-00) Administration**

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Revenue Management  
     Program Integrity  
     Nurse Recruitment  
     EBT  
     GBHC Transition  
     Operations  
 Debt Service

**TOTAL -- Administration**

	1.0	8.0
53.9	34.6	162.1
		293.1
53.9	35.6	463.2

(-10) Office of the Secretary  
 (-20) Management Services  
 (-30) Facility Operations  
**TOTAL -- Internal Program Units**

\$ Program	
ASF	GF

150.8	600.4
2,701.2	11,238.6
879.8	14,894.6
3,731.8	26,733.6

\$ Line Item	
ASF	GF

1,237.9	17,986.0
12.7	4.6
785.9	4,190.2
	213.6
98.5	878.5
215.0	21.2
269.2	
232.8	
	20.0
	570.4
	916.4
879.8	
	1,932.7
3,731.8	26,733.6

**(35-04-00) Medical Examiner**

Personnel Costs  
 Travel  
 Contractual Services  
 Energy  
 Supplies and Materials  
 Capital Outlay  
 Other Items:  
     Urinalysis  
 Debt Service

**TOTAL -- Medical Examiner**

		34.0
	1.0	
	1.0	34.0

	2,322.3
	12.1
	172.6
	73.6
	403.2
	38.6
46.4	
	86.1
46.4	3,108.5

	1.0	34.0
	1.0	34.0

(-01) Medical Examiner  
**TOTAL -- Internal Program Unit**

46.4	3,108.5
46.4	3,108.5

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NSF	ASF	GF		ASF	GF	ASF	GF
<b>(35-05-00) Public Health</b>							
220.7	53.8	1,136.1	Personnel Costs			238.0	50,514.5
			Travel				16.7
			Contractual Services			500.0	6,746.0
			Energy				1,107.4
			Supplies and Materials			60.0	3,586.7
			Capital Outlay				114.1
			Tobacco Fund:				
			Personnel Costs			169.0	
			Contractual Services			9,763.7	
			Disease Cost Containment			500.0	
			New Nurse Development			1,297.1	
			Other Items:				
			Long-Term Care Prospective Payment			114.0	
			Rodent Control				50.0
			Tuberculosis			15.0	
			Sexually Transmitted Diseases			105.0	
			Child Development Watch			550.0	
			Preschool Diagnosis and Treatment			100.0	78.0
			Home Visits			20.0	
			Immunizations				256.5
			School Based Health Centers			80.0	4,651.8
			Hepatitis B				40.0
			AIDS				128.2
			Rabies Control				64.6
			Office of Narcotics & Dangerous Drugs				40.0
			Child Health			850.0	
			Vanity Birth Certificates			14.7	
			Public Water			60.0	
			Medicaid Enhancements			205.0	
			Infant Mortality			150.0	
			Medicaid AIDS Waiver			1,500.0	
			Children with Special Needs			45.0	
			Family Planning			325.0	
			Newborn			1,200.0	
			Indirect Costs			431.4	
			Food Inspection			21.0	
			Food Permits			400.0	
			Medicaid Contractors/Lab Testing & Analysis			160.0	
			Water Operator Certification			22.0	
			IV Therapy			559.0	
			Health Statistics			1,200.0	
			Debt Service				38.3
220.7	53.8	1,136.1	<b>TOTAL -- Public Health</b>			20,654.9	67,432.8
3.0	9.0	49.0	(-10) Director's Office/Support Services	1,620.9	3,100.9		
217.7	44.8	322.1	(-20) Community Health	18,361.0	25,670.6		
		596.0	(-40) Delaware Hospital for the Chronically Ill	528.6	30,266.4		
		169.0	(-50) Emily Bissell	144.4	8,394.9		
220.7	53.8	1,136.1	<b>TOTAL -- Internal Program Units</b>	20,654.9	67,432.8		

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NSF	ASF	GF		ASF	GF	ASF	GF
<b>(35-06-00) Substance Abuse and Mental Health</b>							
19.8	8.0	796.4	Personnel Costs			364.9	37,275.8
			Travel				20.8
			Contractual Services			1,438.3	27,650.1
			Energy				836.8
			Supplies and Materials			100.6	4,389.2
			Capital Outlay			9.0	184.0
			Tobacco Fund:				
			Contractual Services			200.0	
			Heroin Residential Program			500.0	
			Other Items:				
			SENTAC Treatment Initiatives				1,564.6
			Sheltered Workshop				9.9
			Patient Payment				28.2
			Debt Service				536.9
19.8	8.0	796.4	<b>TOTAL -- Substance Abuse and Mental Health</b>			2,612.8	72,496.3
16.0		22.0	(-10) Administration	60.0	1,622.1		
1.0		137.0	(-20) Community Mental Health	1,100.0	24,616.4		
0.8	1.0	601.4	(-30) Delaware Psychiatric Center	168.0	35,797.8		
2.0	7.0	36.0	(-40) Substance Abuse	1,284.8	10,460.0		
19.8	8.0	796.4	<b>TOTAL -- Internal Program Units</b>	2,612.8	72,496.3		

**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-07-00) Social Services</b>			
317.3	2.0	285.7				13,117.1
						9.1
						6,098.4
						53.0
						103.9
						82.9
					7,500.5	
					1,485.0	
					988.7	
					1,091.3	
					790.0	
					150.2	
					249.0	2,168.8
						2,931.1
					500.0	3,042.8
						23,718.3
						798.9
						2,499.8
						27,227.0
					16,400.0	308,731.0
						1,753.1
					500.0	
					585.2	
						1,450.0
317.3	2.0	285.7	<b>TOTAL -- Social Services</b>		30,239.9	393,785.2

317.3	2.0	285.7
317.3	2.0	285.7

(-01) Social Services  
TOTAL -- Internal Program Unit

30,239.9	393,785.2
30,239.9	393,785.2

**NSF**

TOTAL -- Temporary Assistance to Needy Families and Their Children (TANF) NSF appropriation

32,291.0

			<b>(35-08-00) Visually Impaired</b>			
27.4	3.0	40.6			104.0	2,050.6
						3.1
					1.5	427.2
						51.2
						78.2
					4.0	39.1
					175.0	
					450.0	
					425.0	
27.4	3.0	40.6	<b>TOTAL -- Visually Impaired</b>		1,159.5	2,649.4

27.4	3.0	40.6
27.4	3.0	40.6

(-01) Visually Impaired Services  
TOTAL -- Internal Program Unit

1,159.5	2,649.4
1,159.5	2,649.4

**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(35-09-00) Long Term Care Residents Protection</b>			
20.4		44.6	Personnel Costs			2,175.6
			Travel			12.3
			Contractual Services			559.4
			Energy			7.8
			Supplies and Materials			15.8
			Capital Outlay			20.3
20.4		44.6	<b>TOTAL -- Long Term Care Residents Protection</b>			2,791.2
20.4		44.6	(-01) Long Term Care Residents Protection			2,791.2
20.4		44.6	<b>TOTAL -- Internal Program Unit</b>			2,791.2
			<b>(35-10-00) Child Support Enforcement</b>			
144.5	27.2	47.3	Personnel Costs		1,114.1	2,024.9
			Travel		5.7	3.9
			Contractual Services		401.5	376.0
			Energy		20.0	9.3
			Supplies and Materials		23.0	9.8
			Capital Outlay		27.9	2.1
			Other Items:			
			Recoupment		25.0	
144.5	27.2	47.3	<b>TOTAL -- Child Support Enforcement</b>		1,617.2	2,426.0
144.5	27.2	47.3	(-01) Child Support Enforcement		1,617.2	2,426.0
144.5	27.2	47.3	<b>TOTAL -- Internal Program Unit</b>		1,617.2	2,426.0
			<b>(35-11-00) Developmental Disabilities Services</b>			
3.0	1.0	701.8	Personnel Costs		30.3	30,953.0
			Travel			22.6
			Contractual Services		1,060.0	3,977.9
			Energy			516.1
			Supplies and Materials			1,255.8
			Capital Outlay			146.6
			Other Items:			
			Facility Repairs & Maintenance			30.0
			Music Stipends			9.6
			Assisted Living		40.0	
			Purchase of Care		1,108.0	18,397.3
			Purchase of Community Services			5,972.5
			Stockley Transition Plan			526.2
			Debt Service			16.0
3.0	1.0	701.8	<b>TOTAL -- Mental Retardation</b>		2,238.3	61,823.6
3.0	1.0	63.0	(-10) Administration		30.3	3,422.9
		481.0	(-20) Stockley Center		40.0	24,911.6
		157.8	(-30) Community Services		2,168.0	33,489.1
3.0	1.0	701.8	<b>TOTAL -- Internal Program Units</b>		2,238.3	61,823.6



**(35-00-00) DEPARTMENT OF HEALTH AND SOCIAL SERVICES**

Personnel				\$ Program		\$ Line Item			
NSF	ASF	GF		ASF	GF	ASF	GF		
25.0		109.6	(35-12-00) State Service Centers						
			Personnel Costs				4,711.1		
			Travel			7.8	6.1		
			Contractual Services			419.7	1,575.5		
			Energy			54.2	543.3		
			Supplies and Materials			64.1	58.3		
			Capital Outlay			39.8	17.3		
			Other Items:						
			Family Support				370.4		
			Kent County RSVP				29.4		
			Community Food Program				125.5		
			Emergency Assistance				1,583.1		
			Kinship Care				50.0		
			Hispanic Affairs				50.0		
			Debt Service				268.4		
25.0		109.6	TOTAL -- State Service Centers				585.6	9,388.4	
9.3		75.3	(-10) Family Support	585.6		3,681.8			
6.0		15.0	(-20) Service Center Management			2,044.9			
4.0		1.0	(-30) Community Services			1,930.9			
5.7		18.3	(-40) Volunteer Services			1,730.8			
25.0		109.6	TOTAL -- Internal Program Units	585.6		9,388.4			
(35-14-00) Services for Aging and Adults with Physical Disabilities									
51.9		62.3	Personnel Costs				3,049.2		
			Travel				5.0		
			Contractual Services				4,716.4		
			Energy				12.4		
			Supplies and Materials				47.0		
			Capital Outlay				5.8		
			Tobacco Fund:						
			Assisted Living			351.2			
			Other Items:						
			Community Services			261.0	3.0		
			Nutrition Program				589.9		
			Long Term Care				249.1		
			TOTAL -- Services for Aging and Adults with Physical Disabilities				612.2	8,677.8	
			51.9		62.3				
51.9		62.3	(-01) Services for Aging and Adults with Physical Disabilities	612.2		8,677.8			
51.9			62.3	TOTAL -- Internal Program Unit	612.2		8,677.8		
TOTAL -- DEPARTMENT OF HEALTH AND SOCIAL SERVICES									
883.9	131.6	3,721.6					63,498.6	651,312.8	

**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

Personnel		
NSF	ASF	GF
28.6	31.5	125.2
28.6	31.5	125.2

**(37-01-00) Management Support Services**

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
Other Items:  
    MIS Development  
    Agency Operations  
    Services Integration  
    Maintenance and Restoration  
Debt Service

**TOTAL -- Management Support Services**

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF
1,553.7	7,369.1
19.7	7.1
1,493.8	1,137.7
64.9	92.5
27.0	26.3
	362.3
187.0	
102.1	
100.0	43.3
	207.9
3,548.2	9,246.2

4.0	5.0	19.0
	2.0	2.0
10.3	8.5	20.7
2.0	3.0	21.0
	2.0	13.0
	6.0	42.5
12.3	5.0	7.0
28.6	31.5	125.2

(-10) Office of the Secretary  
(-15) Office of the Director  
(-20) Fiscal Services  
(-25) Planning and Evaluation  
(-30) Human Resources  
(-40) Education Services  
(-50) Management Information Systems  
**TOTAL -- Internal Program Units**

364.8	1,304.0
779.5	518.4
427.1	1,047.5
786.3	1,584.5
131.7	797.1
448.3	3,092.3
610.5	902.4
3,548.2	9,246.2

**(37-04-00) Child Mental Health Services**

8.0	22.0	184.6
8.0	22.0	184.6

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Drug Court  
    MIS Maintenance

**TOTAL -- Child Mental Health Services**

1,223.0	10,295.0
8.4	11.9
10,124.4	9,775.3
	189.2
41.6	278.1
22.0	9.7
	588.5
16.0	
11,435.4	21,147.7

8.0	22.0	78.1
		38.5
		68.0
8.0	22.0	184.6

(-10) Managed Care Organization  
(-30) Periodic Treatment  
(-40) 24 Hour Treatment  
**TOTAL -- Internal Program Units**

1,638.8	5,445.3
3,683.8	6,657.1
6,112.8	9,045.3
11,435.4	21,147.7

**(37-00-00) DEPARTMENT OF SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

Personnel		
NSF	ASF	GF

15.0	21.0	354.1
15.0	21.0	354.1

6.0		10.1
9.0	6.0	88.5
	15.0	255.5
15.0	21.0	354.1

112.9	30.5	307.0
112.9	30.5	307.0

24.9	1.5	58.6
78.0	5.0	18.0
1.0	12.0	97.4
9.0	12.0	133.0
112.9	30.5	307.0

164.5	105.0	970.9
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**(37-05-00) Youth Rehabilitative Services**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Debt Service

**TOTAL -- Youth Rehabilitative Services**

(-10) Office of the Director  
(-30) Community Services  
(-50) Secure Care  
TOTAL -- Internal Program Units

**(37-06-00) Family Services**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Child Welfare/Contractual Services  
Pass Throughs  
Other Items:  
Emergency Material Assistance  
DFS Decentralization

**TOTAL -- Family Services**

(-10) Office of the Director  
(-20) Prevention/Early Intervention  
(-30) Intake/Investigation  
(-40) Intervention/Treatment  
TOTAL -- Internal Program Units

**TOTAL - DEPARTMENT OF  
SERVICES FOR CHILDREN,  
YOUTH AND THEIR FAMILIES**

**\$ Program**

ASF	GF
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1.1	624.9
2,204.0	16,657.4
1,388.5	17,676.4
3,593.6	34,958.7

691.9	4,204.2
392.1	1,378.7
596.4	5,370.5
2,367.7	17,447.8
4,048.1	28,401.2

**\$ Line Item**

ASF	GF
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1,100.6	17,772.6
10.5	18.1
2,398.5	13,854.5
	485.0
84.0	802.2
	17.5
	2,008.8
3,593.6	34,958.7

1,551.1	15,380.2
26.1	2.2
2,419.1	920.3
	9.7
26.5	72.2
6.0	14.3
	11,076.9
	894.4
	31.0
19.3	
4,048.1	28,401.2

22,625.3	93,753.8
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## Personnel

**(38-01-00) Administration**

- Personnel Costs
- Travel
- Contractual Services
- Energy
- Supplies and Materials
- Capital Outlay
- Other Items:
  - Medical Services
  - AIDS Education and Counseling
  - Drug and Alcohol Treatment Services
  - Contingency - Shakedowns
  - Maintenance/Restoration
  - MIS
  - Warehouse
- Debt Service

## \$ Program

**\$ Line Item**

	12.2865
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**TOTAL -- Administration**

(-01) Office of the Commissioner  
 (-02) Human Resources/Employee  
       Development Center  
 (-10) Management Services  
 (-20) Food Services  
 (-30) Medical/Treatment Services  
 (-31) Drug and Alcohol Treatment  
       Services  
 (-40) Facilities Maintenance  
**TOTAL -- Internal Program Units**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Population Contingency  
    Garment Shop  
    Gate Money  
    Drug Testing  
    Prison Arts  
    DCC Fence  
Debt Service

742.0	79,669.7
9.0	12.3
848.4	2,926.6
10.2	4,345.0
1,322.2	2,964.5
177.0	
	1,015.5
200.0	19.0
	42.3
	53.0
	23.0
	12,855.3
3,308.8	103,926.2

**(38-00-00) DEPARTMENT OF CORRECTION**

Personnel		
NSF	ASF	GF
		10.0
		26.0
		747.0
		406.0
		98.0
		382.0
		53.0
	7.0	16.0
	5.0	6.0
		15.6
	12.0	1,759.6

(-01) Bureau Chief - Prisons
(-02) John L. Webb Correctional Facility
(-03) Delaware Correctional Center
(-04) Sussex Correctional Institution
(-05) Delores J. Baylor Correctional Institution
(-06) Multi-Purpose Criminal Justice Facility
(-08) Transportation
(-09) Prison Industries
(-10) Inmate Construction
(-11) Education
TOTAL -- Internal Program Units

\$ Program	
ASF	GF
	1,848.1
1.0	1,484.2
1.0	46,285.8
	21,371.5
2.7	5,778.8
	20,323.0
	4,388.4
1,644.7	863.2
1,658.4	258.5
1.0	1,324.7
3,308.8	103,926.2

\$ Line Item	
ASF	GF

**(38-06-00) Community Corrections**

		586.0
		586.0

Personnel Costs
Travel
Contractual Services
Energy
Supplies and Materials
Capital Outlay
Debt Service
TOTAL -- Community Corrections

	28,741.7
	23.6
374.0	3,054.9
	409.1
25.0	503.2
	26.4
	1,122.2
399.0	33,881.1

		17.0
		321.0
		39.0
		44.0
		32.0
		43.0
		42.0
		48.0
		586.0

(-01) Bureau Chief - Community Corrections
(-02) Probation and Parole
(-04) House Arrest
(-06) Plummer Work Release Center
(-07) Sussex Work Release Center
(-08) Kent County Work Release Center
(-09) Sussex Violation of Probation Center
(10) Central Violation of Probation Center
TOTAL -- Internal Program Units

	1,340.4
344.0	18,112.1
	2,384.8
1.0	2,738.9
50.0	1,948.8
4.0	2,299.1
	2,707.9
	2,349.1
399.0	33,881.1

**TOTAL -- DEPARTMENT OF CORRECTION**

	12.0	2,619.6
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3,732.8	189,312.9
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Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
(40-01-00) Office of the Secretary							
1.0	21.3	37.7	Personnel Costs			1,007.1	2,571.2
			Travel			15.9	14.6
			Contractual Services			291.8	82.0
			Energy			35.0	261.4
			Supplies and Materials			67.8	48.6
			Capital Outlay			7.2	
			Other Items:				
			MCI/Equipment				
			Non-Game Habitat			20.0	
			Coastal Zone Management			15.0	
			Special Projects/Other Items			55.0	
			Outdoor Delaware			105.0	
			Wholebasin Management-TMDL			314.7	1,216.1
			Wholebasin Management-Admin.				1.5
			E-Government				
			Debt Service				17.0
1.0	21.3	37.7	TOTAL -- Office of the Secretary			1,934.5	4,212.4
1.0	19.3	28.7	(-01) Office of the Secretary	1,840.8	3,648.6		
	2.0	4.0	(-02) Planning and Compliance Assistance	93.7	275.7		
		5.0	(-03) Boiler Safety		288.1		
1.0	21.3	37.7	TOTAL -- Internal Program Units	1,934.5	4,212.4		
(40-05-00) Fish and Wildlife							
30.2	32.8	64.0	Personnel Costs			1,263.2	3,842.8
			Travel			17.0	12.3
			Contractual Services			705.7	1,274.7
			Energy			1.5	93.3
			Supplies and Materials			383.3	202.0
			Capital Outlay			1,624.0	
			Other Items:				
			Spraying and Insecticides				389.9
			Wildlife Damage Control			65.0	
			Non-Game Habitat			50.0	
			Natural Heritage Program			19.0	197.0
			Clean Vessel Program			32.4	
			Duck Stamp			180.0	
			Trout Stamp			50.0	
			Finfish Development			130.0	
			Fisheries Restoration			610.0	
			Northern Delaware Wetlands			277.5	
			Revenue Refund			15.0	
			Debt Service				47.0
30.2	32.8	64.0	TOTAL -- Fish and Wildlife			5,423.6	6,059.0
	1.0	2.5	(-01) Management and Support -	125.2	255.3		
			Fish and Wildlife				
26.6	28.9	16.5	(-02) Wildlife/Fisheries	4,091.0	1,511.7		
		18.0	(-04) Mosquito Control	329.6	1,647.6		
			(-05) Dog Control	169.5	836.9		
3.6	2.9	27.0	(-06) Fish and Wildlife Enforcement	708.3	1,807.5		
30.2	32.8	64.0	TOTAL -- Internal Program Units	5,423.6	6,059.0		

**(40-00-00) DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**

Personnel		
NSF	ASF	GF

1.0	62.5	105.5
1.0	62.5	105.5

**(40-06-00) Parks and Recreation**

Personnel Costs

Travel

Contractual Services

Energy

Supplies and Materials

Capital Outlay

Other Items:

State Park Partnership

Killens Pond Water Park

Marina Fuel Sales

Other Items

Debt Service

**TOTAL -- Parks and Recreation**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

		4,644.2	5,360.6
		30.8	5.2
		1,639.3	785.9
		37.9	393.4
		853.1	268.4
		246.1	
			92.3
		440.0	
		555.0	
		706.5	
			1,386.6
		9,152.9	8,292.4

	1.0	12.0
	44.5	46.5
	9.0	9.0
1.0	6.0	15.0
	2.0	23.0
1.0	62.5	105.5

(-01) Management and Support -

Parks and Recreation

(-02) Operations and Maintenance

(-03) Cultural and Recreational Services

(-04) Planning, Preservation and

Development

(-05) Wilmington State Parks

**TOTAL -- Internal Program Units**

136.0	570.6
6,975.2	4,063.2
1,196.0	495.3
715.4	1,103.9
130.3	2,059.4
9,152.9	8,292.4

**(40-07-00) Soil and Water Conservation**

15.3	2.0	47.7
15.3	2.0	47.7

Personnel Costs

Travel

Contractual Services

Energy

Supplies and Materials

Capital Outlay

Other Items:

New Castle County Dredge

Beach Erosion Control Program

Sand Bypass System

Tax Ditches\*

Debt Service

**TOTAL -- Soil and Water Conservation**

89.8	2,722.6
5.0	5.9
1,221.9	839.9
	14.7
44.0	201.6
39.0	
	162.5
6,600.0	
	95.0
	225.0
	380.3
7,999.7	4,647.5

1.5		4.5
		9.0
1.8		26.2
2.0	2.0	7.0
10.0		1.0
15.3	2.0	47.7

(-01) Management and Support -

Soil and Water

(-02) Drainage

(-03) Shoreline and Waterway

Management

(-04) District Operations

(-05) Delaware Coastal Management

**TOTAL -- Internal Program Units**

160.0	324.4
	1,454.6
7,669.5	1,752.0
150.2	1,050.1
10.0	66.4
7,999.7	4,647.5

\*Pursuant to Section 3921, Title 7, Delaware Code

**(40-00-00) DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**

Personnel		
NSF	ASF	GF

29.9	62.8	74.3
29.9	62.8	74.3

**(40-08-00) Water Resources**

Personnel Costs  
Travel  
Contractual Services  
Energy  
Supplies and Materials  
Capital Outlay  
Other Items:  
    Inland Bays Research  
    Delaware Estuary  
    Other Items  
    Water Resources Agency  
    SRF Future Administration  
    Board of Certification  
Debt Service

**TOTAL -- Water Resources**

\$ Program		\$ Line Item	
ASF	GF	ASF	GF

2,247.1	4,485.4
38.0	40.2
716.0	1,413.0
1.0	9.0
214.0	91.9
241.0	40.0
65.1	280.5
300.0	
14.0	
	1,683.6
3,836.2	8,183.9

12.9	8.6	12.5
0.5	25.5	18.0
2.0	8.0	6.0
4.0	13.0	8.0
6.3	4.7	8.0
4.2		16.8
	3.0	5.0
29.9	62.8	74.3

(-01) Management and Support -  
    Water Resources  
(-02) Environmental Laboratory  
(-04) Surface Water Discharges  
(-05) Ground Water Discharges  
(-06) Water Supply  
(-07) Watershed Assessment  
(-08) Wetlands and Subaqueous  
    Lands  
TOTAL -- Internal Program Units

770.8	3,199.4
1,535.0	1,186.3
468.9	513.7
619.3	473.1
154.8	454.5
	2,014.4
287.4	342.5
3,836.2	8,183.9



**(40-00-00) DEPARTMENT OF NATURAL RESOURCES AND  
ENVIRONMENTAL CONTROL**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(40-09-00) Air and Waste Management</b>			
58.7	95.8	54.5			3,162.6	3,634.7
					78.0	15.3
					1,120.0	270.4
					10.0	91.7
					185.9	86.3
					242.0	4.9
					300.0	
					1,200.0	
					3,960.5	
					100.0	
					30.0	14.4
					525.8	
					350.0	
					100.0	
					54.8	
					180.9	
					164.8	
					141.2	
					50.0	
						50.0
					834.8	
						4.1
58.7	95.8	54.5	<b>TOTAL - Air and Waste Management</b>		12,791.3	4,171.8
3.5	16.0	16.5				
17.0	51.0	19.0				
38.2	28.8	19.0				
58.7	95.8	54.5				
			<b>TOTAL -- Internal Program Units</b>		12,791.3	4,171.8
			<b>TOTAL - DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL</b>			
136.1	277.2	383.7			41,138.2	35,567.0

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NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(45-08-00) Emergency Medical Services</b>				
2.0		9.0	Personnel Costs				753.4
			Travel				3.2
			Contractual Services				523.1
			Supplies and Materials				28.0
			Capital Outlay				5.0
			Tobacco:				
			Contractual Services		49.9		
			Supplies and Materials		0.5		
			Capital Outlay		83.1		
2.0		9.0	<b>TOTAL -- Emergency Medical Services</b>			133.5	1,312.7
2.0		9.0	(-01) Emergency Medical Services	133.5	1,312.7		
2.0		9.0	<b>TOTAL -- Internal Program Units</b>	133.5	1,312.7		
			<b>TOTAL -- DEPARTMENT OF</b>				
			<b>SAFETY AND HOMELAND SECURITY</b>				
60.5	43.5	917.0				7,517.7	91,965.6

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-01-00) Office of the Secretary</b>	
			<b>(55-01-01) Office of the Secretary</b>	
	12.0		Personnel Costs	562.4
			Operations/Capital	31.7
			Salary Contingency	161.0
	12.0		TOTAL -- Office of the Secretary	755.1
			<b>(55-01-02) Finance</b>	
2.0	59.0		Personnel Costs	2,994.7
			Operations/Capital	862.1
2.0	59.0		TOTAL -- Finance	3,856.8
			<b>(55-01-03) Public Relations</b>	
	14.0		Personnel Costs	838.8
			Operations/Capital	113.3
	14.0		TOTAL -- Public Relations	952.1
			<b>(55-01-04) Human Resources</b>	
	20.0		Personnel Costs	1,187.8
			Travel	2.3
			Capital Outlay	1.0
			Contractual/Supplies	377.4
	20.0		TOTAL -- Human Resources	1,568.5
2.0	105.0		<b>TOTAL-- Office of the Secretary</b>	7,132.5
			<b>(55-02-00) Technology and Support Services</b>	
			<b>(55-02-01) Administration</b>	
2.0	36.0		Personnel Costs	1,905.1
			Travel	25.7
			Energy	438.9
			Capital Outlay	18.0
			Contractual/Supplies	1,659.4
2.0	36.0		TOTAL -- Administration	4,047.1
			<b>(55-02-03) Office of Information Technology</b>	
	50.0		Personnel Costs	3,453.6
			Travel	25.3
			Capital Outlay	722.4
			Contractual/Supplies	5,016.1
	50.0		TOTAL -- Office of Information Technology	9,217.4
2.0	86.0		<b>TOTAL-- Technology and Support Services</b>	13,264.5
			<b>(55-03-00) Planning</b>	
			<b>(55-03-01) Planning</b>	
	76.0	19.0	Personnel Costs	4,113.3
			Operations/Capital	830.3
	76.0	19.0	<b>TOTAL -- Planning</b>	4,943.6

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

Personnel				\$ Line Item
NSF	TFO	TFC		TFO
			<b>(55-04-00) Operations and Maintenance</b>	
			<b>(55-04-01) Office of the Director</b>	
	26.0		Personnel Costs	1,302.3
			Operations/Capital	94.6
	26.0		TOTAL -- Office of the Director	1,396.9
			<b>(55-04-70) Maintenance Districts</b>	
	738.0	25.0	Personnel Costs	31,810.4
			Energy	907.6
			Capital Outlay	223.5
			Contractual/Supplies	15,096.1
			Snow/Storm Contingency	3,041.0
	738.0	25.0	TOTAL -- Maintenance Districts	51,078.6
			<b>(55-04-90) Toll Administration</b>	
	131.0		Personnel Costs	5,074.1
			Travel	26.0
			Energy	444.2
			Capital Outlay	91.0
			Contractual/Supplies	2,058.7
			Turnpike Operating Reserve *	
	131.0		TOTAL -- Toll Administration	7,694.0
	895.0	25.0	<b>TOTAL -- Operations and Maintenance</b>	<b>60,169.5</b>

\* The Cumulative Turnpike Operating Reserve Fund is established at \$1,037.1

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\*Delaware Transportation Authority, 2 Del. C. c. 13.  
These funds, except the Regulatory Revolving Funds, are not deposited with the State Treasurer.

**(55-00-00) DEPARTMENT OF TRANSPORTATION**

Personnel		
NSF	TFO	TFC

\$ Line Item
TFO

**(55-11-00) Motor Vehicles**

**(55-11-10) Administration**

	30.0	
	30.0	

Personnel Costs	1,453.4
Travel	10.1
Contractual Services	286.7
Supplies and Materials	16.9
Capital Outlay	0.1
Motorcycle Safety	104.5
Off Highway Vehicles	1.0
General Obligation Debt Service	77.0
<b>TOTAL -- Administration</b>	<b>1,949.7</b>

**(55-11-20) Driver Services**

2.0	72.0	
2.0	72.0	

Personnel Costs	2,932.0
Contractual Services	325.4
Supplies and Materials	32.3
CDL Fees	207.3
<b>TOTAL -- Driver Services</b>	<b>3,497.0</b>

**(55-11-30) Vehicle Services**

	125.0	
	125.0	

Personnel Costs	5,140.6
Travel	10.0
Contractual Services	2,165.0
Supplies and Materials	899.9
Capital Outlay	541.5
Odometer Forms	6.0
Special License Plates	25.0
DMVT	150.0
General Obligation Debt Service	167.5
<b>TOTAL -- Vehicles Services</b>	<b>9,105.5</b>

**TOTAL -- Motor Vehicles**

2.0	227.0	
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14,552.2
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**TOTAL DEPARTMENT OF  
TRANSPORTATION**

6.0	1,593.0	228.0
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258,261.0
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**(60-00-00) DEPARTMENT OF LABOR**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(60-08-00) Vocational Rehabilitation</b>			
122.0	6.0	2.0	Personnel Costs		334.5	80.7
			Travel			0.3
			Contractual Services		372.0	2,040.8
			Supplies and Materials		75.0	76.9
			Capital Outlay		64.4	
			Other Items:			
			Sheltered Workshop			306.7
			Governor's Committee			13.0
122.0	6.0	2.0	<b>TOTAL -- Vocational Rehabilitation</b>		845.9	2,518.4
83.0	6.0	2.0	(-10) Vocational Rehabilitation Services		845.9	2,518.4
39.0			(-20) Disability Determination Services			
122.0	6.0	2.0	<b>TOTAL -- Internal Program Units</b>		845.9	2,518.4
			<b>(60-09-00) Employment and Training</b>			
89.9	4.0	24.1	Personnel Costs		184.9	955.5
			Travel		4.2	6.1
			Contractual Services		88.1	355.0
			Energy			1.9
			Supplies and Materials		6.2	12.6
			Capital Outlay		13.4	3.8
			Other Items:			
			Summer Youth Program			235.2
			Individual Skills Grant			181.6
			Welfare Reform			959.0
			Blue Collar Skills		2,258.3	
89.9	4.0	24.1	<b>TOTAL -- Employment and Training</b>		2,555.1	2,710.7
89.9	4.0	24.1	(-20) Employment and Training Services		2,555.1	2,710.7
89.9	4.0	24.1	<b>TOTAL -- Internal Program Unit</b>		2,555.1	2,710.7
367.4	98.7	35.9	<b>TOTAL -- DEPARTMENT OF LABOR</b>		15,200.5	6,160.2

**(65-00-00) DEPARTMENT OF AGRICULTURE**

NSF	ASF	GF
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ASF	GF
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§ LINE ITEM	
ASF	GF

**(65-01-00) Agriculture**

15.2	35.0	86.8
15.2	35.0	86.8

Personnel Costs	2,410.5	4,687.5
Travel	59.6	32.7
Contractual Services	345.7	431.2
Energy	7.8	93.0
Supplies and Materials	144.9	128.1
Capital Outlay	141.0	46.0
Other Items:		
Information, Education & Certification		221.0
Nutrient Management Planning		451.8
Poultry Litter Transport		246.0
Agriculture Advertising		50.0
Agriculture Development Program		17.7
Laurel Auction		9.5
Alternative Agriculture Projects		15.0
Cooperative Advertising		40.0
Plant Pest Survey & Control		107.2
Educational Assistance	15.0	
Revenue Refund	4.0	
Fingerprinting	95.5	
Equine Drug Testing	590.0	
County Rollback	40.2	
Debt Service		90.3
<b>TOTAL -- Agriculture</b>	<b>3,854.2</b>	<b>6,667.0</b>

	1.0	19.0
6.7	12.0	7.0
4.5	3.5	7.3
1.0	5.5	17.0
3.0	6.0	
	0.5	4.0
		14.5
	4.5	7.0
		8.0
	2.0	3.0
15.2	35.0	86.8

(-01) Administration	226.4	1,675.1
(-02) Agriculture Compliance	12.2	368.6
(-03) Food Products Inspection	765.7	399.9
(-04) Forest Service	344.1	926.9
(-05) Harness Racing Commission	971.9	
(-06) Pesticides	399.5	
(-07) Planning		347.8
(-08) Plant Industries	94.2	932.1
(-09) Poultry and Animal Health		432.9
(-10) Thoroughbred Racing Commission	964.7	
(-11) Weights and Measures		447.7
(-12) Nutrient Management		1,136.0
(-13) Agricultural Lands Preservation Foundation	75.5	
<b>TOTAL -- Internal Program Units</b>	<b>3,854.2</b>	<b>6,667.0</b>

**TOTAL - DEPARTMENT OF AGRICULTURE**

15.2	35.0	86.8
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3,854.2	6,667.0
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**(70-00-00) DEPARTMENT OF ELECTIONS**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(70-01-01) Commissioner of Elections</b>			
		11.0				536.8
						1.3
						281.8
						19.4
						0.8
						17.0
						20.0
						350.0
		11.0	<b>TOTAL -- Commissioner of Elections</b>			1,227.1
			<b>(70-02-01) New Castle County Department of Elections</b>			
		17.0				813.8
						13.1
						182.8
						14.1
						16.9
						3.5
		17.0	<b>TOTAL -- New Castle County Department of Elections</b>			1,044.2
			<b>(70-03-01) Kent County Department of Elections</b>			
		8.0				424.1
						1.5
						133.3
						12.0
						5.1
						1.5
						3.0
		8.0	<b>TOTAL -- Kent County Department of Elections</b>			580.5
			<b>(70-04-01) Sussex County Department of Elections</b>			
		7.0				409.1
						1.4
						29.7
						12.2
						2.0
						2.1
		7.0	<b>TOTAL -- Sussex County Department of Elections</b>			456.5
		43.0	<b>TOTAL -- DEPARTMENT OF ELECTIONS</b>			3,308.3

**(75-00-00) FIRE PREVENTION COMMISSION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
			<b>(75-01-01) Office of the State Fire Marshal</b>			
	28.2	22.8			1,395.8	1,373.8
					34.0	
					365.3	107.1
						46.2
					71.0	37.5
					245.4	10.8
					1.5	
						2.0
						208.2
	28.2	22.8	<b>TOTAL -- Office of the State Fire Marshal</b>		2,113.0	1,785.6
			<b>(75-02-01) State Fire School</b>			
		17.0				962.6
						384.0
						120.8
						75.0
					50.0	
					50.0	
						5.0
						30.0
						267.4
		17.0	<b>TOTAL -- State Fire School</b>		100.0	1,844.8
			<b>(75-03-01) State Fire Prevention Commission</b>			
		1.0				48.9
						25.5
					7.5	25.0
						2.6
						100.0
						9.0
					10.0	7.2
						10.0
					4.0	
		1.0	<b>TOTAL -- State Fire Prevention Commission</b>		21.5	228.2
	28.2	40.8	<b>TOTAL -- FIRE PREVENTION COMMISSION</b>		2,234.5	3,858.6

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ASF	GF
	2,057.5
	4.7
	252.4
	427.0
	94.5
	490.0
	3.7
	254.8
	<b>3,584.6</b>

**(77-00-00) ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(77-01-01) Advisory Council For  
Exceptional Citizens**

		2.0
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Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials

	93.4
	6.0
	13.2
	1.1

**TOTAL -- ADVISORY COUNCIL FOR  
EXCEPTIONAL CITIZENS**

		2.0
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	113.7
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**(90-00-00) HIGHER EDUCATION****Personnel**

NSF	ASF	GF
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**\$ Program**

ASF	GF
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**\$ Line Item**

ASF	GF
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**(90-01-00) University of Delaware****(90-01-01) University of Delaware**

Operations

81,754.2

Scholarships

7,563.5

Agricultural Programs

3,313.6

Other Programs

9,012.7

The College School

83.1

Medical Technology

38.0

Debt Service

5,456.0

MCI/Equipment

1,000.0

TOTAL -- University of Delaware

108,221.1

**(90-01-02) Delaware Geological Survey**

Operations

1,219.7

River Master Program

83.0

TOTAL -- Delaware Geological Survey

1,302.7

**TOTAL -- University of Delaware**

109,523.8

**(90-03-00) Delaware State University****(90-03-01) Operations**

Operations

24,406.3

Administrative Computing

125.0

Work Study

211.7

Faculty Development

57.0

Mishoe Scholarships

50.0

Cooperative Extension

154.3

Cooperative Research

238.6

Title VI Compliance

220.0

Academic Incentive

50.0

General Scholarships

506.0

Athletic Grant

133.1

Aid to Needy Students

854.8

Energy

1,479.7

Debt Service

5,391.1

MCI/Equipment

115.2

TOTAL -- Operations

33,992.8

**(90-03-05) Sponsored Programs and Research****TOTAL -- Delaware State University**

33,992.8



**(90-00-00) HIGHER EDUCATION**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(90-04-00) Delaware Technical and  
Community College**

**(90-04-01) Office of the President**

		43.0
12.0		43.0

Personnel Costs  
Contractual Services  
Energy  
Occupational Teacher Program  
Academic Incentive  
Salary Plan A & D  
Parallel Program - Operations  
Parallel Program - Academic  
Debt Service  
TOTAL -- Office of the President

	4,434.1
	83.1
	25.0
	36.8
	50.0
	40.0
	271.2
	1,487.4
	11.2
	6,438.8

**(90-04-02) Owens Campus**

		191.0
59.0		191.0

Personnel Costs  
Energy  
Grants  
Aid to Needy Students  
Work Study  
Debt Service  
Day Care Training  
TOTAL -- Owens Campus

	12,938.0
	326.0
	48.2
	172.8
	31.2
	1,368.4
	16.8
	14,901.4

**(90-04-04) Wilmington Campus**

		153.0
41.0		153.0

Personnel Costs  
Energy  
Aid to Needy Students  
Grants  
Work Study  
Debt Service  
Dental Program  
Day Care Training  
TOTAL -- Wilmington Campus

	10,076.9
	361.6
	137.8
	27.5
	35.1
	1,561.8
	78.8
	17.2
	12,296.7

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**(90-04-05) Stanton Campus**  
 Personnel Costs  
 Energy  
 Aid to Needy Students  
 Grants  
 Work Study  
 Debt Service  
**TOTAL -- Stanton Campus**

\$ Line Item	
ASF	GF
	12,642.0
	162.2
	122.8
	22.5
	36.1
	495.2
	13,480.8

**(90-04-06) Terry Campus**  
 Personnel Costs  
 Contractual Services  
 Energy  
 Aid to Needy Students  
 Work Study  
 Grants  
 Debt Service  
 Day Care Training  
**TOTAL -- Terry Campus**

	7,875.3
	206.7
	358.8
	146.3
	21.7
	21.0
	550.3
	6.0
	9,186.1

**TOTAL -- Delaware Technical and  
Community College**

	56,303.8
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	237.4
	237.4

**TOTAL -- HIGHER EDUCATION**

	200,057.8
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**(95-00-00) DEPARTMENT OF EDUCATION**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(95-01-00) State Board of Education and  
State Board for Vocational Education  
and Department of Education**

70.3		115.2
	1.0	1.0
		4.0
		1.0
		2.5
70.3	2.0	123.7

Personnel Costs  
Travel  
Contractual Services  
Supplies and Materials  
Capital Outlay  
State Board of Education  
Tobacco:  
    Prevention/Education  
Other Items:  
    Infrastructure Capacity  
    Educator Accountability  
    AmeriCorps Kickstart Program  
    Family Involvement  
    Pupil Accounting  
    Teacher in Space  
    Education Compact of the States  
    Private Business and Trade School  
    Evaluation-Higher Education  
    Teacher of the Year  
    Odyssey of the Mind  
    Computing Center  
    Educator Certification and Development  
    Professional Standards Board  
    Student Mentoring  
    Science in Motion  
    School Profiles  
    Delaware Student Testing Program  
        On Grade Assessment  
        Off Grade Assessment  
        Retest/End of Summer/Additional Indicators  
    Student Standards & Assessment  
    DE Educator Recruitment Initiative  
    Contingency - Background Checks  
    Accountability Contingency  
    Department of Education Library  
    Trailer Rental Fund  
    DOE Publications  
    Delaware Interscholastic Athletic Fund  
    Registration Fees

	9,934.5
	35.8
	201.3
	36.6
	37.6
	227.1
267.7	
	600.0
	4,120.0
	332.6
	35.0
	573.5
	114.6
	45.7
	2.0
	1.0
	55.7
	42.0
65.1	510.7
	160.8
	170.8
	500.0
	273.7
	100.0
	2,476.9
	2,884.5
	1,888.7
100.0	329.5
	60.0
	100.0
34.0	
27.5	
15.0	
500.0	
40.0	
1,049.3	25,850.6

**TOTAL -- State Board of Education and  
State Board for Vocational Education  
and Department of Education**

70.3	2.0	123.7
70.3	2.0	123.7

(-01) State Board and Secretary  
of Education and Department  
of Education

1,049.3	25,850.6
1,049.3	25,850.6

TOTAL -- Internal Program Unit

**(95-00-00) DEPARTMENT OF EDUCATION**

Personnel				\$ Program		\$ Line Item	
NSF	ASF	GF		ASF	GF	ASF	GF
			<b>(95-02-00) School District Operations</b>				
		10,717.0	Division I Units ( 7,269)				
			Formula Salaries				350,977.0
			Cafeteria Funds				6,084.4
			Other Employment Costs				132,630.8
			Division II Units ( 8,201)				
			All Other Costs				26,905.2
			Energy				13,937.3
			Division III				
			Equalization				62,661.3
			Other Items:				
			General Contingency				5,401.5
			Guaranteed Unit Count				1,000.0
			School Improvement Funds				1,600.0
			Other Items				506.4
			Delmar Tuition				293.8
			Charter School Tax Relief Funds				184.1
			School District Discretionary Allocation				(10,000.0)
			Debt Service				
			Department of Education				129.3
			School Districts				21,890.5
		10,717.0	<b>TOTAL -- School District Operations</b>				614,201.6
		10,717.0	(-01) Division Funding		583,196.0		
			(-02) Other Items		8,985.8		
			(-03) Debt Service		22,019.8		
		10,717.0	<b>TOTAL -- Internal Program Units</b>		614,201.6		

**(95-00-00) DEPARTMENT OF EDUCATION**

Personnel			\$ Program		\$ Line Item	
NSF	ASF	GF	ASF	GF	ASF	GF
<b>(95-03-00) Block Grants and Pass Through Programs</b>						
			Education Block Grants			
			Adult Education and Work Force Training Grant			7,135.7
			Professional Accountability and Instructional Advancement Fund			7,800.5
			Academic Excellence Block Grant			30,117.9
			Technology Block Grant			1,000.0
			K-12 Pass Throughs			
			Delaware Nature Society			9.6
			Children's Beach House			70.8
			Read Aloud			242.2
			Strive			87.3
			Summer School - Gifted & Talented			173.8
			Center for Economic Education			195.2
			Educational Resources			237.8
			DE Institute for Arts in Education			132.4
			Advanced Studies			94.3
			Student Organization			143.8
			Parents as Teachers			1,189.3
			Pregnant Students			279.2
			Delaware Teacher Center			475.4
			Reading Assist			252.7
	3.0	4.5	Smithsonian Project		800.0	1,568.7
			On-Line Periodicals			487.0
			Jobs for DE Graduates			571.3
			Delaware Geographic Alliance			48.5
			Creative Mentoring			242.6
			Delaware History Day Competition			4.8
			Special Needs Programs			
			Early Childhood Assistance			4,456.7
		1.0	Children with Disabilities			2,648.8
	1.0		Unique Alternatives		890.7	10,822.0
			Exceptional Student Unit - Vocational			469.9
			Related Services for the Handicapped			2,305.7
			Adolescent Day Program			36.0
	1.0		Children Services Cost Recovery Project		750.7	
			Sterck Summer Program			40.0
			Tech-Prep 2 + 2			440.0
			Student Discipline Program			14,304.5
			Extra Time for Students			10,428.0
			Limited English Proficient			1,000.0
		33.7	Prison Education			2,778.5
			Innovative After School Initiatives			200.0
			Reading Resource Teachers			2,729.2
			First State School			220.0
			Driver Training			
	1.0	12.0	Driver's Education		61.1	1,389.8
	6.0	51.2	<b>TOTAL -- Block Grants and Pass Through Programs</b>		2,502.5	106,829.9
			(-10) Education Block Grants		800.0	46,054.1
	3.0	4.5	(-15) K-12 Pass Throughs		1,641.4	6,506.7
	2.0	34.7	(-20) Special Needs Programs		61.1	52,879.3
	1.0	12.0	(-30) Driver Training		2,502.5	1,389.8
	6.0	51.2	<b>TOTAL -- Internal Program Units</b>		2,502.5	106,829.9

**(95-00-00) DEPARTMENT OF EDUCATION**

Personnel		
NSF	ASF	GF

\$ Program	
ASF	GF

\$ Line Item	
ASF	GF

**(95-04-00) Pupil Transportation**

Public School Transportation  
 Neighborhood Schools Transportation Savings  
 Non-Public School Transportation  
 Reimbursement

	56,469.5
	269.4
	3,000.0
	59,738.9

**TOTAL -- Pupil Transportation**

(-01) Transportation  
 TOTAL -- Internal Program Unit

	59,738.9
	59,738.9

**(95-06-00) Delaware Advisory Council on  
Career and Vocational Education**

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials

	196.2
	6.7
	63.8
	5.0
	271.7

**TOTAL -- Delaware Advisory Council on Career  
and Vocational Education**

(-01) Advisory Council  
 TOTAL -- Internal Program Unit

	271.7
	271.7

**(95-08-00) Delaware Higher Education Commission**

Personnel Costs  
 Travel  
 Contractual Services  
 Supplies and Materials  
 Scholarships and Grants  
 National Teacher Certification Loan Program  
 Michael C. Ferguson Awards

	428.9
	8.0
	311.8
	6.1
	2,269.7
	100.0
	600.0
	3,724.5

**TOTAL -- Delaware Higher Education Commission**

(-01) Delaware Higher Education  
 Commission  
 TOTAL -- Internal Program Unit

	3,724.5
	3,724.5

**TOTAL -- DEPARTMENT OF EDUCATION**

70.3	8.0	10,901.9
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3,551.8	810,617.2
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Year ending June 30, 2004

**Personnel**

TFO	TFC	NSF	ASF	GF
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\$

TFO	ASF	GF
-----	-----	----

**TOTALS**

1,593.0	228.0	1,844.3	1,449.1	11,402.2
		222.9		697.0
		70.3	8.0	10,901.9
<b>1,593.0</b>	<b>228.0</b>	<b>2,137.5</b>	<b>1,457.1</b>	<b>23,001.1</b>

**TOTAL - DEPARTMENTS**

**TOTAL - HIGHER EDUCATION**

**TOTAL - PUBLIC EDUCATION**

**GRAND TOTAL**

258,261.0	395,624.7	1,422,062.3
		200,057.8
	3,551.8	810,617.2
<b>258,261.0</b>	<b>399,176.5</b>	<b>2,432,737.3</b>





# GENERAL

Section 2. Any previous Act inconsistent with the provisions of this Act is hereby repealed to the extent of such inconsistency.

Section 3. If any provision of this Act, or of any rule, regulation or order thereunder, or the application of such provision to any person or circumstances, shall be invalid, the remainder of this Act and the application of such provisions of this Act or of such rule, regulation or order to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 4. The monies appropriated in Section 1 of this Act shall be paid by the State Treasurer from the General Fund, except as otherwise referenced in Section 1.

Section 5. The provisions of this Act to the contrary notwithstanding, any section, chapter or title of the Delaware Code and any Laws of Delaware providing for the application of "Sunset" shall be operative for those agencies, commissions or boards effective during the current fiscal year.

Section 6. Due to the pilot budget format, the restructuring of divisions into programs within divisions has created more exempt positions per division than allowed by law for the participating departments; therefore, all exempt positions authorized by 29 Del. C. § 5903, prior to July 1, 1987, shall remain exempt for this current fiscal year, except as otherwise specified in this Act.

Section 7. (a) Notwithstanding the provisions of 29 Del. C. § 6334(c), for Fiscal Year 2004, the proposed budget plan, as prepared by the Budget Director, shall be in such a format that it can readily be analyzed and comprehensive in nature.

(b) Notwithstanding the provisions of 29 Del. C. § 6340(a), Section 1 of this Act summarizes salary and wage and other employment costs into a single line entitled Personnel Costs.

(c) For Fiscal Year 2004, the payroll recovery rate for the Worker's Compensation Program shall be 1.22 percent.

(d) For Fiscal Year 2004, the payroll recovery rate for the Deferred Compensation Program shall be .14 percent. This rate shall be combined with the Fiscal Year 2004 payroll recovery rate for Worker's Compensation. An amount equal to fourteen one-hundredths (.0014) of the total payroll recovery shall be transferred from the Office of State Personnel to the Office of the State Treasurer after each pay cycle is

completed. The funds shall be used exclusively for the state match of the Deferred Compensation Program.

(e) Section 1 of this Act provides funding for a state employee pension rate of 11.44 percent. The components of the rate are 4.20 percent for the pension liability, 5.91 percent for retiree health insurance costs, and 1.33 percent for the Post-Retirement Increase Fund.

(f) Section 1 of this Act provides funding for a judicial pension rate of 21.69 percent.

(g) Section 1 of this Act provides funding for a new State Police pension rate of 11.75 percent.

(h) The abbreviations set forth in this Act for authorized positions or funding mean the following:

GF – General Fund

ASF – Appropriated Special Funds

NSF – Non-appropriated Special Funds

TFO – Trust Fund Operations

TFC – Trust Fund Capital

FTE – Full-Time Equivalent

(i) All Merit Rules referenced in this Act refer to the Merit Rules in effect June 30, 2003.

**Section 8. MERIT SYSTEM AND MERIT COMPARABLE SALARY SCHEDULES**

(a) The General Assembly of the State of Delaware supports the statewide policy that the pay plan for Merit System employees be developed in accordance with the results of valid surveys of salaries provided by a defined labor market. The Director of State Personnel shall conduct such surveys on a yearly basis and report the findings of such surveys by December 15 to the Governor and members of the General Assembly who will be responsible for recommending and approving yearly adjustments as are necessary to maintain the competitive posture of the plan.

(i) The defined labor market survey for Fiscal Year 2004 shall be limited to those governments and institutions of higher education as follows:

Delaware

Other Counties and Municipalities

Other States

New Castle County

Cecil County, Maryland

Maryland

1	Kent County	Caroline County, Maryland	Pennsylvania
2	Sussex County	Salisbury, Maryland	New Jersey
3	Wilmington	Chester County, Pennsylvania	North Carolina
4	Newark	Delaware County, Pennsylvania	Massachusetts
5	Dover	Salem County, New Jersey	New York
6	University of Delaware		Virginia

7 (ii) The findings of the survey in Section 8(a) for Fiscal Year 2004 shall be calculated in the  
8 same manner as Fiscal Year 2003, using a comparable weighting formula and other  
9 components.

10 Effective July 1, 2003, the following pay plans are established for state merit system employees:

11 **Annual Salary**

12 **STATE OF DELAWARE PAY PLAN\***

13 **(Standard Work Schedule of 37.5 Hours Per Work Week)**

14	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
15	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
16	1	15,759*	18,982	22,778
17	2	16,249	20,311	24,373
18	3	17,390	21,737	26,084
19	4	18,602	23,253	27,904
20	5	19,908	24,885	29,862
21	6	21,301	26,626	31,951
22	7	22,789	28,486	34,183
23	8	24,386	30,482	36,578
24	9	26,094	32,618	39,142
25	10	27,921	34,901	41,881
26	11	29,873	37,341	44,809
27	12	31,965	39,956	47,947
28	13	34,203	42,754	51,305
29	14	36,594	45,742	54,890
30	15	39,158	48,948	58,738
31	16	41,902	52,377	62,852
32	17	44,834	56,042	67,250
33	18	47,970	59,962	71,954
34	19	51,328	64,160	76,992
35	20	54,925	68,656	82,387
36	21	58,767	73,459	88,151
37	22	62,881	78,601	94,321
38	23	67,284	84,105	100,926
39	24	71,997	89,996	107,995

1	25	77,034	96,292	115,550
2	26	82,426	103,032	123,638

3 \* - Annual Salary in Whole Dollars.

4 **STATE OF DELAWARE PAY PLAN\***

5 **(Standard Work Schedule of 40 Hours Per Work Week)**

6	<b>PAY</b>	<b>80% of</b>	<b>100% of</b>	<b>120% of</b>
7	<b>GRADE</b>	<b>Midpoint</b>	<b>Midpoint</b>	<b>Midpoint</b>
8	1	16,198*	20,247	24,296
9	2	17,332	21,665	25,998
10	3	18,546	23,182	27,818
11	4	19,842	24,803	29,764
12	5	21,234	26,543	31,852
13	6	22,719	28,399	34,079
14	7	24,310	30,387	36,464
15	8	26,013	32,516	39,019
16	9	27,833	34,791	41,749
17	10	29,781	37,226	44,671
18	11	31,863	39,829	47,795
19	12	34,096	42,620	51,144
20	13	36,482	45,603	54,724
21	14	39,038	48,797	58,556
22	15	41,770	52,212	62,654
23	16	44,695	55,869	67,043
24	17	47,822	59,777	71,732
25	18	51,168	63,960	76,752
26	19	54,751	68,439	82,127
27	20	58,586	73,232	87,878
28	21	62,687	78,359	94,031
29	22	67,076	83,845	100,614
30	23	71,768	89,710	107,652
31	24	76,794	95,992	115,190
32	25	82,169	102,711	123,253
33	26	87,921	109,901	131,881

34 \* - Annual Salary in Whole Dollars.

35 (iii) Merit Rule 5.0200 notwithstanding, the standard work week for employees in the following  
36 classification series and designated positions assigned to the Department of Transportation's  
37 Transportation Management Center as approved by the Personnel Director, Budget Director  
38 and Controller General shall be 40 hours:

39	<b><u>DEPARTMENT</u></b>	<b><u>CLASS SERIES</u></b>
40	Department of Health & Social Services	Drug Control and Enforcement Agents

1		Chief Drug Control and Enforcement
2		Drug Control Administrator
3	Department of Correction	Food Service Quality Control Administrator
4		Community Work Program Coordinator
5		Director of Probation and Parole
6		Pre-Trial Presentence Manager
7		Probation and Parole Officer
8		Probation and Parole Regional Manager
9		Probation and Parole Supervisor
10		Probation and Parole Operations Manager
11		Support Services Manager–DCC
12		Special Services Manager
13		Trainer/Educator I, II, III
14		Correctional Treatment Administrator-DCC
15		Correctional Treatment Administrator - SCI
16		Correctional Officer
17		Correctional Security Superintendent
18		Warden and Deputy Warden
19	Department of Agriculture	Meat Inspectors/Supervisor
20		Meat and Poultry Inspector Officer
21		Food Products Inspection Administrator
22	State Fire School	Training Administrator I
23	Safety and Homeland Security	Telecommunications Specialist Series (ERC)
24		Telecommunications Central Control Specialist
25		Series
26	Department of Transportation	Toll Collectors
27		Toll Collection Supervisor

1 Transportation Management Center

2 Toll Corporals

3 Toll Sergeants

4 (iv) During the fiscal year ending June 30, 2004, the State Personnel Director may designate,  
5 with the concurrence of the Budget Director and the Controller General, other appropriate  
6 classes or groups of employees to work and be paid according to a standard work week of  
7 40 hours. Such designation shall be based upon the operational necessity of agencies to  
8 require employees to regularly and consistently work in excess of 37.5 hours per week  
9 and upon the availability of any required funding.

10 (b) **SELECTIVE MARKET VARIATIONS.**

11 Recognizing the need for flexibility to respond to critical external market pressures, selective  
12 market variations are permitted to the uniform pay plan structure for job classes that are key to the  
13 performance of state functions.

14 (1) The appointing authority shall identify job classes or job families to be considered for  
15 selective market variations according to turnover rates, recruitment problems, vacancy  
16 rates, feasibility for the work to be performed on a contractual basis and other criteria  
17 established by the State Personnel Director.

18 (2) Upon receipt of the identified classes, the State Personnel Director shall survey the  
19 appropriate labor market to determine the State's position in this labor market.

20 (3) The Budget Director, the State Personnel Director and the Controller General shall  
21 review the information provided in Sections 8(b)(1) and (2) and shall recommend  
22 approval or disapproval for the classes for selective market compensation variations.

23 (4) Any such selective market variations which the State Personnel Director, the Budget  
24 Director and the Controller General have determined to be warranted and have been  
25 approved by the Joint Finance Committee, shall be designated to become effective July 1,  
26 2003, provided that such variations have been processed as part of the regular budgetary  
27 process and the funds for such changes shall be appropriated.

1 (5) The State Personnel Director shall establish criteria with the State Budget Director and the  
2 Controller General to allow for selective market to be effective January 1, 2004. An  
3 appointing authority may apply for selective market variation for job classes or job  
4 families that are experiencing severe recruitment and retention issues for January 1, 2004.  
5 Funds must be available within the agency budget to fund the selective market variation  
6 until such time as the General Assembly appropriates such funds.

7 (6) Upon approval, the minimum, mid-point and maximum salary values shall be raised  
8 according to the results of the labor market surveys for the job class. For the purposes of  
9 this section, the minimum value of the salary scale shall remain at 75 percent of midpoint  
10 and the maximum value shall remain at 125 percent unless the minimum value under the  
11 selective market range for a class is less than the minimum value of the merit system pay  
12 range. The minimum for the class on selective market shall be no less than the merit  
13 system pay range minimum value. No further increases shall be applied to the scale  
14 and/or the midpoints.

15 (7) Employees assigned to job classifications approved under the selective market variation  
16 program shall have their salaries adjusted in accordance with the following:

17 (i) The salary of employees in positions added to the selective market variation program  
18 on or after July 1, 2003, whose salary in effect as of June 30, 2003, is below the  
19 adjusted minimum salary for the assigned job classification shall be increased to the  
20 adjusted minimum salary or an advanced starting salary recommended by the State  
21 Personnel Director and the salary of employees whose current salary falls within the  
22 adjusted salary range shall not be increased.

23 (ii) The salary of employees in positions added to the selective market variation program  
24 before June 30, 2003, whose salary in effect as of June 30, 2002, is below the  
25 adjusted minimum salary for the assigned job classification shall be increased to the  
26 adjusted minimum salary or an advanced starting salary recommended by the State

1 Personnel Director and the salary of employees whose current salary falls within the  
2 adjusted salary range shall not be increased.

3 (8) All classes assigned to selective market variation who have not met the criteria to qualify  
4 for an adjustment for two consecutive years, shall have their midpoints reduced by seven  
5 percent effective July 1, 2003. All classes whose selective market midpoint is not seven  
6 percent higher than the midpoint of the regular merit State of Delaware payscale once the  
7 general increase has been applied shall move back on to the State of Delaware Pay Plan.  
8 The process by which job classes are removed from selective market variation to the  
9 regular merit State of Delaware Pay Plan will not result in a reduction in salary for  
10 current incumbents who will move from selective market variation to the regular merit  
11 State of Delaware Pay Plan.

12 (9) Effective July 1, 2003, the shift differential rates paid to registered nurses in accordance  
13 with the provisions of Merit Rule 5.1425 shall be the same amount in effect as of  
14 June 30, 2000.

15 **(c) SALARY INCREASES FOR FISCAL YEAR 2004.**

16 The amount appropriated by Section 1 of this Act for salaries provides funds for maintaining the  
17 June 30, 2003 salary rate of each State employee in existing State of Delaware Pay Plans, except as  
18 otherwise provided in this section.

19 (1) The amount appropriated by Section 1 of this Act for Salaries provides increases for:

20 (a) Statutory step increases for Department of Education and Delaware Technical and  
21 Community College plans A and D, as provided in Title 14,

22 (b) negotiated, collective bargaining increases for Uniformed members of the Delaware  
23 State Police and full-time and regular part-time non-merit Telecommunications  
24 Specialists, Senior Telecommunications Specialist, Telecommunication Shift  
25 Supervisors, Telecommunication Central Control Specialists, Senior  
26 Telecommunications Central Control Specialists and Telecommunications Central



Control Shift Supervisors employed in the Communications Section of the Division of State Police in the Department of Safety and Homeland Security, and  
(c) federal salary plan increases for Delaware National Guard employees.

(2) The Competency Based Pay Plan shall continue in Fiscal Year 2004 as 71 Del. c. 354 §247.

(3) In Fiscal Year 2004, the salary plans approved for the Office of the Attorney General and Public Defender shall continue as established.

(4) Section 1 of this Act appropriates funding in Personnel Costs to the Office of the Attorney General (15-01-00) and to the Public Defender (15-02-00) to be used to pay for salary matrices as approved by the Joint Finance Committee, notwithstanding Chapters 5.000 and 6.000 of the Merit Rules. These salary matrices are intended to maintain the salaries of these attorneys at competitive rates. A committee consisting of the Attorney General, the State Personnel Director, the Budget Director and the Controller General will biannually review the Department of Justice Salary Plan. A committee consisting of the Public Defender, the State Personnel Director, the Budget Director and the Controller General will biannually review the Public Defender Salary Matrix.

(d) **MAINTENANCE REVIEWS.**

(1) Any such reclassifications/regrades which the State Personnel Director determines to be warranted as a result of the classification maintenance reviews regularly scheduled by the State Personnel Office shall be designated to become effective July 1, 2003, provided that such reclassifications/regrades have been processed as part of the regular budgetary process and the funds for such reclassifications/regrades have been appropriated. Maintenance Review classification determination may be appealed to the Merit Employee Relations Board in accordance with 29 Del. C. § 5915. Paygrade determinations shall not be appealed.

(2) Any such title changes which the State Personnel Director determines to be warranted as a result of a consolidation review shall be implemented as they are completed. A

consolidation review is for the specific purpose of combining current class titles and class specifications that are in the same occupational area and require sufficiently similar knowledge, skills, abilities and minimum qualifications. A consolidation review will not impact the current levels of work and corresponding pay grades in a class series. It will only effect the current title assigned to positions, the corresponding class specification, levels of work and minimum qualifications will be written general in nature rather than agency or program specific. Class specification and title changes as a result of consolidation reviews shall not be appealed.

**(e) CRITICAL RECLASSIFICATIONS.**

The classification of any position whose salary is covered by the appropriations in Section 1 of this Act, may be changed to be effective January 1, 2004, or July 1, 2004, if the requested change is certified critical by the appointing authority; and approved by the State Personnel Director, Budget Director and Controller General prior to the effective date. Critical reclassification requests and paygrade determinations shall not be appealed to the Merit Employee Relations Board.

**(f) OTHER RECLASSIFICATIONS.**

Other than those reclassifications/regrades approved in accordance with Section 8(d) or 8(e), no position shall be reclassified or regraded during the fiscal year ending June 30, 2004.

**(g) STATE AGENCY TEACHERS AND ADMINISTRATORS.**

The salaries of teachers and administrators employed by state agencies and who are paid based on the Basic Schedule contained in 14 Del. C. § 1305, as amended by this Act, shall receive as salary an amount equal to the index value specified in the appropriate training and experience cell multiplied by the base salary amount defined in 14 Del. C. § 1305(b), divided by 0.7 for ten months employment. If employed on an 11 or 12 month basis, the ten-month amount shall be multiplied by 1.1 or 1.2, respectively.

**(h) ADMINISTRATIVE REGULATIONS.**

(1) The administrative regulation and procedures necessary to implement this Section shall be promulgated by the State Personnel Director, Budget Director and Controller General.

1 (2) During the fiscal year ending June 30, 2004, paragraph 5.1100 of the Merit Rules for a  
2 Merit System of Personnel Administration shall be null and void.

3 (3) Consistent with Chapter 16 of the Merit Rules, all state agencies shall implement the  
4 performance review prescribed by Office of State Personnel after applicable training by  
5 the Office of State Personnel. A performance review shall be completed for employees  
6 between January 1 and December 31, 2004.

7 (4) Employees who retain salary upon voluntary demotion in accordance with Merit Rule  
8 13.0340 shall be ineligible for a promotional increase upon promotion to a paygrade  
9 lower than or equal to their original paygrade prior to voluntary demotion for a one year  
10 period from the date of their voluntary demotion.

11 (i) **HOLIDAY PAY - DEPARTMENT OF TRANSPORTATION TOLL COLLECTION**  
12 **AND TRANSPORTATION MANAGEMENT CENTER EMPLOYEES.**

13 Merit Rules 5.1410 and 5.1411 notwithstanding, all Department of Transportation  
14 employees directly engaged in toll collection operations, or directly engaged in the  
15 Transportation Management Center's 24-hour operation, shall be entitled to receive  
16 compensation at their normal rate of pay for holidays in lieu of compensatory time, and  
17 they shall also be entitled to receive compensation in accordance with the Fair Labor  
18 Standards Act.

19 (j) **OVERTIME FOR WEATHER RELATED EMERGENCIES - DEPARTMENT OF**  
20 **TRANSPORTATION EMPLOYEES.**

21 Department of Transportation personnel responding to weather related emergencies, who  
22 are not subject to the Fair Labor Standards Act, shall be entitled to receive compensation  
23 at one and one half times their normal rate of pay for all overtime services performed  
24 beyond the normal work week. This shall apply to employees classified through the Area  
25 Supervisor level. All additional personnel assigned to assist the area yards during  
26 weather related emergencies, who are above the level of Area Supervisor, shall be

entitled to receive compensation at their straight time rate of pay for all overtime services performed beyond the normal work week.

**(k) CALL BACK PAY - HIGHWAY EMERGENCY RESPONSE TEAM.**

The Merit Rules notwithstanding, employees designated as Highway Emergency Response Team members shall be eligible for call back pay regardless of their classification.

**(l) STANDBY PAY - HIGHWAY EMERGENCY RESPONSE TEAM.**

The Merit Rules notwithstanding, employees designated as Highway Emergency Response Team members shall be eligible for standby pay regardless of their classification.

**(m) SALARY PLAN - PUBLIC EDUCATION.**

Salary schedules and staffing formulas contained in 14 Del. C. c. 13, shall be revised as specified in this Subsection.

(1) Each school district shall continue to use salary schedules not less than those 14 Del. C. § 1322, for all school lunch employees.

(2) Effective July 1, 2003, the State shall pay 66 percent of the annual salary rate for school lunch employees as set forth in the salary schedules in 14 Del. C. § 1322(a)(b), and 54.5 percent of salary rate for school lunch employees as set forth in the salary schedule 14 Del. C. § 1322(c). The remaining percentage of the hourly salary rate for school lunch employees shall be paid from local funds. The State shall pay other employment costs for school lunch employees at the ratio of state supported salaries to total salaries, provided for by this section for school lunch employees.

(3) No provision in this Act shall be construed as affecting the eligibility of school lunch employees as an employee under 29 Del. C. § 5501.

(4) Section 1 of this Act provides an amount for salaries and other employment costs for Formula Employees in Public Education. Additional amounts are included in some Block Grants and Pass Through Programs (95-03-00). Local school districts must

1 charge payroll for local share salary supplements and other employment costs and  
2 fringe benefits simultaneously with state share charges. The amount of salary and other  
3 employment costs that can be charged to state appropriations for any one-day period or  
4 for any one individual cannot exceed the amount the individual is entitled to receive  
5 based on the state salary schedules provided by this Act and 14 Del. C. c. 13, divided  
6 by the number of pays the individual has chosen to schedule per year. The provisions  
7 of this section do not apply to Division III - Equalization (Appropriation 0186) which  
8 may be charged for local contractual obligations before local current operating funds  
9 are used.

10 **(n) SALARY PLAN - DELAWARE TECHNICAL AND COMMUNITY COLLEGE.**

11 The base salary for ten-month Plan A employees at Delaware Technical and Community  
12 College shall be calculated by using the salary amount specified for the Bachelor's Degree, 0  
13 years of experience amount from 14 Del. C. § 1305(b), divided by 0.7 to account for 100  
14 percent state funding.

15 Section 9. Salaries and wage rates for state employees who are not covered by the provisions of  
16 14 Del. C. c. 13, or by the Merit System, excluding employees of the General Assembly - House or the  
17 General Assembly - Senate, Uniformed State Police, all full-time and regular part-time non-Merit  
18 Telecommunications Specialists, Senior Telecommunications Specialists, Telecommunication Shift  
19 Supervisors, Telecommunications Central Control Specialists, Senior Telecommunications Central  
20 Control Specialists and Telecommunications Central Control Shift Supervisors employed in the  
21 Communications Section of the Department of Safety and Homeland Security, Delaware State Police,  
22 employees of the University of Delaware, employees of Delaware State University, employees of  
23 Delaware Technical and Community College who are paid on the Administrative Salary Plan or Faculty  
24 Plan, Plans D and A respectively, members and employees of the Delaware National Guard and  
25 employees whose salaries are governed by Section 10 of this Act, shall have the following:

26 (a) The salary of employees shall be comparable to salaries and wage rates paid from funds  
27 appropriated by the State to employees with similar training and experience who serve in similar positions

1 in the Merit System. In the event that there are no similar positions in the Merit System, the State  
2 Personnel Director shall establish an exempt position classification only for the purpose of assigning a  
3 salary or wage rate to said position. On or before August 15, 2003, the State Personnel Director shall  
4 publish a list of exempt positions and the comparable Merit System class and/or paygrade for each  
5 position. In addition, such listing shall show the name of the incumbent, if the position is filled, and shall  
6 show the statutory citation which authorizes the establishment of the exempt position(s). The State  
7 Personnel Director shall provide copies of such listing to members of the Joint Finance Committee and  
8 the Controller General. No exempt employee shall be hired until an approved comparability has been  
9 assigned to the position. No reclassification/regrading, change in paygrade comparability of a filled or  
10 vacant exempt position, or change of a Merit System position to an exempt position otherwise permitted  
11 under Delaware Law shall become effective unless approved by the State Budget Director, State  
12 Personnel Director and the Controller General. In order to permit the development of the comparability  
13 list, state agencies shall provide to the State Personnel Director job descriptions of all exempt positions  
14 and position classification questionnaires describing the duties and responsibilities of each of the  
15 positions. The certification of comparability by the State Personnel Director shall not be withheld  
16 unreasonably. Those positions assigned on a list of comparability that are assigned a comparable class  
17 and/or paygrade in the Merit System shall be paid in accordance with Sections 8(b) and (c) of this Act and  
18 Merit System Rules 13.0110 and 5.0900 through 5.0931; no other salary increases shall be given to such  
19 employees unless specifically authorized in this Act.

20 (b) The salary of employees whose salary in effect as of June 30, 2003, is below the minimum  
21 salary of the assigned paygrade of the pay plan shall be raised to the minimum salary.

22 (c) Notwithstanding any other provision of the Delaware Law or this Act to the contrary, civilian  
23 employees of the Delaware National Guard shall be compensated at a salary and wage rate established by  
24 the Federal Civil Service Commission.

25 Section 10. (a) For the fiscal year ending June 30, 2004, the salaries displayed below represent  
26 the salary effective on July 1, 2003.

			General Funds	All Other Funds
1				
2	<u>Budget Unit</u>	<u>Line Item</u>		
3	(01-01-01)	Representative	34.8	
4	(01-02-01)	Senator	34.8	
5	(02-01-00)	Chief Justice - Supreme Court	152.5	
6	(02-01-00)	Justice - Supreme Court	147.0	
7	(02-02-00)	Chancellor - Court of Chancery	145.3	
8	(02-02-00)	Vice Chancellor - Court of Chancery	140.2	
9	(02-03-00)	President Judge - Superior Court	145.3	
10	(02-03-00)	Associate Judge - Superior Court	140.2	
11	(02-03-00)	Commissioner- Superior Court	85.7	
12	(02-03-00)	New Castle County Prothonotary	57.2	
13	(02-03-00)	Kent County Prothonotary	50.7	
14	(02-03-00)	Sussex County Prothonotary	50.7	
15	(02-06-00)	Chief Judge - Court of Common Pleas	143.8	
16	(02-06-00)	Judge - Court of Common Pleas	136.5	
17	(02-06-00)	Commissioner - Court of Common Pleas	85.7	
18	(02-08-00)	Chief Judge - Family Court	145.3	
19	(02-08-00)	Associate Judge - Family Court	140.2	
20	(02-08-00)	Commissioner - Family Court	85.7	
21	(02-13-00)	Chief Magistrate - Justice of the Peace Courts	100.5	
22	(02-13-00)	Magistrate - Justice of the Peace Courts - 1st Term	57.6	
23	(02-13-00)	Magistrate - Justice of the Peace Courts - 2nd Term	59.6	
24	(02-13-00)	Magistrate - Justice of the Peace Courts - 3rd Term	61.5	
25	(02-17-00)	St. Court Administrator – Off. of the St. Court Administrator	107.9	
26	(02-18-00)	Public Guardian	60.0	
27	(02-18-00)	Executive Director - Violent Crimes Compensation		
28		Board		49.0

			<b>General Funds</b>	<b>All Other Funds</b>
1	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
2				
3	(02-18-00)	Executive Director - Child Placement Review Board	54.2	
4	(10-01-01)	Governor	114.0	
5	(10-02-00)	Budget Director	113.4	
6	(10-02-08)	Director - SAC	79.2	
7	(10-03-01)	Director - Delaware Economic Development Office	106.0	
8	(10-04-00)	Personnel Director	106.0	
9	(10-07-01)	Executive Director - CJC	80.2	
10	(10-07-01)	Director – Domestic Violence Coordinating Council	59.0	
11	(10-07-02)	Executive Director - DELJIS	71.1	
12	(10-08-01)	Director - Delaware State Housing Authority		99.0
13	(11-00-00)	Chief Information Officer	133.6	
14	(12-01-01)	Lieutenant Governor	62.4	
15	(12-02-01)	Auditor	89.9	
16	(12-03-01)	Insurance Commissioner		89.9
17	(12-05-01)	State Treasurer	94.0	
18	(15-01-01)	Attorney General	116.7	
19	(15-01-01)	Chief Deputy Attorney General	110.0	
20	(15-02-01)	Public Defender	116.7	
21	(15-02-01)	Chief Deputy Public Defender	110.0	
22	(15-03-01)	Parole Board Chairman	55.0	
23	(20-01-00)	Secretary - State	106.0	
24	(20-02-00)	Director - Human Relations	63.2	
25	(20-03-00)	Director – Division of Archives	76.4	
26	(20-05-00)	Director - Corporations		96.4
27	(20-06-00)	Director - Historical and Cultural Affairs	79.4	
28	(20-07-00)	Director - Arts	69.6	



			<b>General Funds</b>	<b>All Other Funds</b>
1	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
2				
3	(20-08-00)	State Librarian	75.2	
4	(20-15-00)	State Banking Commissioner		95.7
5	(25-01-00)	Secretary – Finance	113.4	
6	(25-05-00)	Director - Accounting	91.9	
7	(25-06-00)	Director – Revenue	106.9	
8	(25-07-00)	Director - State Lottery		90.3
9	(30-01-00)	Secretary - Administrative Services	98.8	
10	(30-01-00)	Director - Administration	78.1	
11	(30-01-00)	Executive Director - Public Employment Relations		
12		Board	67.8	
13	(30-03-00)	Public Advocate		72.8
14	(30-03-00)	Director - Public Service Commission		77.9
15	(30-03-00)	Director - Professional Regulation		75.6
16	(30-04-00)	Director – Support Services	25.7	49.9
17	(30-05-00)	Director - Facilities Management	83.4	
18	(30-05-00)	Executive Secretary - Architectural Accessibility Bd.	40.6	
19	(35-01-00)	Secretary - Health and Social Services	113.4	
20	(35-01-00)	Director - Management Services	88.3	9.9
21	(35-04-00)	Chief Medical Examiner	135.4	
22	(35-05-00)	Director - Public Health	141.6	
23	(35-06-00)	Director – Substance Abuse and Mental Health	121.8	
24	(35-07-00)	Director - Social Services	49.2	49.2
25	(35-08-00)	Director - Visually Impaired	69.4	
26	(35-09-00)	Director - Long-Term Care Residence Protection	78.9	
27	(35-10-00)	Director - Child Support Enforcement	26.0	52.8
28	(35-11-00)	Director – Developmental Disabilities Services	98.3	

			<b>General Funds</b>	<b>All Other Funds</b>
1	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
2				
3	(35-12-00)	Director - State Service Centers	78.9	
4	(35-12-00)	Director - Community and Volunteer Services	64.5	
5	(35-14-00)	Director - Services for Aging and Adults		
6		with Physical Disabilities	78.9	
7	(37-01-00)	Secretary - Services for Children,		
8		Youth and Their Families	106.0	
9	(37-01-00)	Director - Management Services	89.5	
10	(37-04-00)	Director - Child Mental Health Services	86.9	
11	(37-05-00)	Director - Youth Rehabilitative Services	89.5	
12	(37-06-00)	Director - Family Services	89.5	
13	(38-01-00)	Commissioner - Correction	113.4	
14	(38-01-00)	Bureau Chief - Management Services	81.4	
15	(38-04-00)	Bureau Chief - Prisons	98.3	
16	(38-06-00)	Bureau Chief - Community Corrections	93.6	
17	(40-01-00)	Secretary - Natural Resources and		
18		Environmental Control	106.0	
19	(40-01-00)	Deputy Secretary - Natural Resources		
20		and Environmental Control	78.4	
21	(40-01-00)	Director - Boiler Safety	54.5	
22	(40-05-00)	Director - Fish and Wildlife	42.1	42.1
23	(40-06-00)	Director - Parks and Recreation	85.0	
24	(40-07-00)	Director - Soil and Water Conservation	84.3	
25	(40-08-00)	Director - Water Resources	86.8	
26	(40-09-00)	Director - Air and Waste Management	86.8	
27	(45-01-00)	Secretary – Safety and Homeland Security	106.0	
28	(45-01-00)	Director - Del. Emergency Management Agency	34.9	34.9

			<b>General Funds</b>	<b>All Other Funds</b>
1	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
2				
3	(45-03-00)	Commissioner – Alcoholic Beverage Control	98.8	
4	(45-04-00)	Director - Alcoholic Beverage		
5		Control and Tobacco Enforcement	70.0	
6	(45-06-00)	Superintendent - State Police	126.9	
7	(45-06-00)	Assistant Superintendent - State Police	116.4	
8	(55-01-01)	Secretary - Transportation		106.0
9	(55-01-01)	Chief Engineer		100.0
10	(55-02-00)	Director – Technology and Support Services		84.8
11	(55-03-01)	Director - Transportation Planning		100.0
12	(55-04-01)	Director – Operations and Maintenance		100.0
13	(55-06-01)	Director - Delaware Transit Corporation		100.0
14	(55-08-00)	Director – Transportation Solutions		100.0
15	(55-11-00)	Director - Motor Vehicles		83.7
16	(60-01-00)	Secretary - Labor	9.4	86.1
17	(60-06-00)	Director - Unemployment Insurance		81.8
18	(60-07-00)	Director - Industrial Affairs		81.8
19	(60-08-00)	Director - Vocational Rehabilitation		81.8
20	(60-09-00)	Director - Employment and Training	8.2	73.6
21	(65-01-00)	Secretary - Agriculture	98.8	
22	(65-01-00)	Deputy Secretary - Agriculture	73.3	
23	(70-01-01)	Commissioner - Elections	69.1	
24	(70-02-01)	Administrative Director - New Castle County Elections	65.4	
25	(70-02-01)	Deputy Administrative Director - New Castle		
26		County Elections	64.2	
27	(70-03-01)	Administrative Director - Kent County Elections	65.4	
28	(70-03-01)	Deputy Administrative Director - Kent County Elections	64.2	

<b>Budget Unit</b>	<b>Line Item</b>	<b>General Funds</b>	<b>All Other Funds</b>
(70-04-01)	Administrative Director - Sussex County Elections	65.4	
(70-04-01)	Deputy Administrative Director - Sussex County Elections	64.2	
(75-01-01)	State Fire Marshal	46.5	23.0
(75-02-01)	Director - State Fire School	69.5	
(76-01-01)	Adjutant General	91.8	
(95-01-00)	Secretary of Education	133.6	
(95-01-00)	Deputy Secretary of Education	109.5	
(95-06-00)	Executive Secretary - Advisory Council on Career and Vocational Education	86.6	
(95-08-01)	Executive Director - Higher Education Commission	71.9	

(b) (i) Salaries of designated positions in Section 10(a) of this Act shall have no further increase applied by any other section of this Act, except as provided in Section 10(b)(ii), (iii), (iv), and (vii).

(ii) If a position in Section 10(a) becomes vacant during the fiscal year, the appointing authority shall submit a request with appropriate justification to the State Personnel Director to establish the salary commensurate with the qualifications of the proposed incumbent and within the position's evaluated pay range. In reviewing requests made pursuant to this paragraph, the State Personnel Director shall provide an analysis of the request and shall solicit the advice and written consent of the Budget Director and the Controller General in the event the salary is higher than the amount listed in Section 10(a).

(iii) Regardless of the provisions of this Act, any state employee who is offered a promotional opportunity to become a division level manager shall be eligible for a five percent promotional salary increase. This eligibility shall be conditioned on a determination that the duties and responsibilities of the division level manager position are at least one paygrade higher than the position proposed to be vacated based on a comparison of equivalent value. For the purpose of this subsection, the equivalent value of one

1 paygrade is defined as seven percent difference in the constant fiscal year dollar value of  
2 the evaluated pay range midpoint of the division level manager position compared to the  
3 position that the employee is vacating. The appointing authority may request a  
4 promotional increase in excess of five percent based upon the qualifications of the  
5 selected candidate. The request and appropriate justification shall be submitted to the  
6 State Personnel Director. In reviewing requests made pursuant to this paragraph, the  
7 State Personnel Director shall provide an analysis of the request and shall solicit the  
8 advice and written consent of the Budget Director and the Controller General.

9 If an employee is offered an appointment to a division level manager position  
10 that has an equivalent value equal to or less than the pay grade assigned to the position  
11 the employee is vacating, the employee may retain his/her current salary provided it does  
12 not exceed the midpoint of the evaluated pay range for the division level manager  
13 position. The appointing authority may request the retention of salary in excess of the  
14 midpoint of the evaluated pay range for the division level manager position by submitting  
15 appropriate justification to the State Personnel Director. In reviewing requests made  
16 pursuant to this paragraph, the State Personnel Director shall provide an analysis of the  
17 request and shall solicit the advice and written consent of the Budget Director and the  
18 Controller General.

19 (iv) Positions designated in Section 10(a) of this Act may be paid a salary which is less than  
20 the designated salary if the position is filled in an "acting" basis.

21 (v) An agency may request a dual incumbency for a division director or equivalent position  
22 in Section 10(a) for a maximum period of six months for cases involving extended  
23 disability or terminal leave, provided that the State Budget Director and the Controller  
24 General determine that the position is essential to fill during the interim period it would  
25 otherwise be vacant. The agency shall submit a request to the Office of State Personnel.  
26 The State Personnel Director shall review this request and seek the advice and written  
27 consent of the Budget Director and the Controller General.

(vi) If the incumbent in the position of Secretary - Health and Social Services holds a State Medical license, the salary listed in Section 10(a) of this Act for that position shall be increased by \$12.0. Additionally, if the incumbent in the position of Secretary - Health and Social Services is a Board Certified physician, a \$3.0 supplement shall be added to the annual salary listed in Section 10(a) of this Act.

(vii) The salary in Section 10 for the Superintendent and Assistant Superintendent of the State Police has been calculated in accordance with 11 Del. C. § 8303. If the salary of the highest paid Major increases during the fiscal year, the salaries of the Superintendent and the Assistant Superintendent shall be increased in accordance with 11 Del. C. § 8303. If the salary of the highest paid Major decreases during the fiscal year, the incumbent Superintendent's and Assistant Superintendent's salaries shall not change.

(c) Effective May 1, 2003, the Office of State Personnel shall submit to the Joint Finance Committee a listing of employees designated in Section 10(a). The listing shall indicate for each position the number of points applicable for Fiscal Year 2002 and the number of points of any recommended changes for any position for Fiscal Year 2004.

(d) For this fiscal year, the following represent the maximum salaries appropriated within Section 1 of this Act. These maximum salaries may be increased upon approval of the Budget Director and the Controller General to accommodate changes in statutory requirements.

**July 1, 2003**

<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>	<b><u>General Funds</u></b>	<b><u>All Other Funds</u></b>
(10-04-00)	Board Members - Pensions		9.6
(15-01-01)	Board Members - Consumer Protection	3.5	
(15-03-01)	Board Members - Parole	19.5	
(20-02-00)	Board Members - Human Relations	2.5	
(25-01-00)	Board Members - Revenue	33.0	
(30-01-00)	Board Members - Public Employment Relations Board	7.4	
(30-01-00)	Board Members - Merit Employee Relations Board	20.0	

			<b><u>General Funds</u></b>	<b><u>All Other Funds</u></b>
1				
2	<b><u>Budget Unit</u></b>	<b><u>Line Item</u></b>		
3	(30-03-00)	Board Members - Professional Regulation		71.5
4	(30-03-00)	Board Members - Public Service Commission		130.0
5	(30-05-00)	Board Members - Architectural Accessibility Board	2.3	
6	(38-04-00)	Board Members - Institutional Classification	12.0	
7	(45-04-00)	Board Members - Alcoholic Beverage Control Commission	8.6	
8	(60-07-00)	Board Members - Industrial Accident Board		153.0
9	(65-01-05)	Harness Racing Commission		13.6
10	(65-01-10)	Thoroughbred Racing Commission		13.6
11	(65-01-12)	Nutrient Management Commission	22.4	
12	(70-02-01)	Board Members - New Castle County Elections	21.5	
13	(70-03-01)	Board Members - Kent County Elections	13.0	
14	(70-04-01)	Board Members - Sussex County Elections	13.0	
15	(95-01-01)	Board Members - State Board of Education	16.8	
16	(95-08-01)	Higher Education Commissioners	2.4	

17           (e) Upon the enactment of legislation to standardize property assessments across all three  
18 counties and the creation of a State Assessment Practices Board, consisting of seven members, to provide  
19 guidance and oversight of the property tax system, there shall be established a salary of \$.5 per Board  
20 member.

21           (f) Amend 29 Del. C. § 710 by deleting subsection (a) in its entirety and substituting in lieu  
22 thereof the following:

23                       “(a) The Lieutenant Governor shall receive an annual salary of \$62,400 for serving as  
24 President of the Senate, of which \$10,200 shall be for performing other duties.”

25           Section 11. Any employee eligible for termination pay, whose regular pay was from special funds,  
26 shall have termination pay paid from special funds. If the employee's regular pay is from both General  
27 Funds and special funds, termination pay shall be on a pro rata basis. The intent of this Section is that if

1 any school district charges their local share to Division III - Equalization Funds, that for termination pay  
2 purposes only, these funds are considered special funds. Exceptions to this method of payment must have  
3 the approval of the Budget Director and the Controller General. All agencies shall absorb termination pay  
4 within the appropriations set forth in Section 1 of this Act.

5 Section 12. Vacant positions in pay grades 1 - 5 will be filled by agency recruitment efforts unless  
6 an eligibility list is required by federal law for a position.

7 Section 13. All agencies or schools receiving federal funds subject to the federal Single Audit  
8 Act shall:

9 (a) Include in program budgets an amount sufficient to cover actual program audit costs incurred  
10 by the Office of Auditor of Accounts. Such amount shall be based on estimated audit costs determined  
11 and provided by the Office of Auditor of Accounts.

12 (b) Process audit cost payment documents (Intergovernmental Vouchers) within 30 days of  
13 receipt of same from the Office of Auditor of Accounts.

14 Section 14. All state agencies and departments that own land shall inform the Budget Director,  
15 the Controller General, the Secretary of Administrative Services, and the General Assembly, quarterly, as  
16 to any and all developments relating to the possible new use, lease or sale, of any portion of said land.  
17 This section shall not apply to lands owned by the Department of Transportation that are intended for  
18 transportation purposes except as provided in 17 Del. C. § 137.

19 Section 15. With the exception of the custodial work associated with Legislative Hall and the  
20 Governor's Office, the Department of Administrative Services may not hire any permanent, full-time  
21 custodial employees in any fiscal year without the approval of the Budget Director and the Controller  
22 General.

23 Section 16. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel  
24 Director, in accordance with the Budget Director and the Controller General, shall have the authority to  
25 designate and approve pilot projects within specified agencies. Such pilot projects shall accrue to the  
26 mutual benefit of the State as an employer and its affected employees in the Department of Health and  
27 Social Services, the Department of Services for Children Youth and Their Families, the Department of



1 Correction, and the Department of Transportation. These pilot projects may include employee incentives  
2 which have the impact of reducing overtime usage in these departments, and which are designed to  
3 achieve a net reduction in costs to the State. Such projects may include elimination of pre-employment  
4 testing for certain classifications, eliminating the cap on vacation carry-over, gain sharing, and the  
5 substitution of certain fixed state holidays by floating holidays. Such pilot projects shall not exceed a  
6 period of two years duration, subject to renewal on a six month basis, and shall include a written  
7 assessment to the Budget Director and the Controller General of their effectiveness at the end of each  
8 period.

9 Section 17. For the fiscal year, the provisions of 29 Del. C. § 6502(a), shall be waived for school  
10 districts. In its place, school districts shall be required to provide to the Budget Director and Controller  
11 General a signed copy of its approved district budget for expenditures, including positions to be funded  
12 from all funds, as well as any other information required by the Budget Director (provided the Budget  
13 Director furnishes official blank forms for such data).

14 Section 18. All agencies receiving an Energy appropriation in Section 1 of this Act must work  
15 through Department of Administrative Services and the Executive Department, Office of the Budget to  
16 attain any contract(s) dealing with the retail wheeling of natural gas or electricity. This includes agencies  
17 01 through 95 with the exception of the University of Delaware.

18 During the current fiscal year, all energy use systems for new facilities, rental/leasing changes,  
19 and/or renovations to energy use systems must be coordinated with the Energy Office within the  
20 Department of Administrative Services and with the Executive Department, Office of the Budget.

21 Any internal program unit/budget unit having energy funding (electricity, natural or propane gas  
22 and heating oils) for the purpose of reimbursing a host internal program unit/budget unit must release the  
23 remaining sums to the host internal program unit/budget unit in the event that the tenant internal program  
24 unit/budget unit vacates the premises. It is the responsibility of the host internal program unit/budget unit  
25 to initiate the transfer request. Those agencies which are budgeted energy as a result of occupying a  
26 portion of a host facility's property, and do not directly pay energy bills, may not transfer energy funds  
27 other than to the host agency.

1           Section 19. In an effort to reduce the financial impact of worker's compensation and property  
2 losses to the State, the agencies and school districts shall work with the Insurance Coverage Office to  
3 implement safety and return to work policies. Any employee who has been on Worker's Compensation  
4 shall be a preferential hire for any position for which the employee is qualified. In accordance with State  
5 law, the employee shall receive a salary supplement based on that employee's prior earnings in the event  
6 the new salary is less than their current salary.

7           Section 20. Amend 14 Del. C. §3484 by adding a new subsection (f) to read as follows: "(f)  
8 Members of the Board overseeing the Delaware College Investment Plan may be reimbursed for mileage  
9 expenses incident to their duties."

10          Section 21. (a) Increased use of videophones and related technologies by agencies comprising  
11 the criminal justice system is beginning to have a positive impact on the operations of these agencies.  
12 One such positive impact is the reduction in the number of trips Department of Correction personnel need  
13 to make to transport offenders from the secure facilities in the prisons to the courts for various hearings  
14 and other procedural matters. To help quantify these positive impacts, agencies with videophones  
15 obtained through the Videophone Committee of the Criminal Justice Council shall submit to the Budget  
16 Director and Controller General a report on their use of their videophone(s) by December 1 of each year.  
17 This report shall be based on a period from July 1 through June 30 and shall contain information such as,  
18 but not limited to, 1) the number of videophones used; 2) the types of activities for which the  
19 videophone(s) is/are used; 3) the number of times the videophone(s) was/were used for each activity; 4)  
20 any savings or deferred costs resulting from the use of the videophone(s); 5) any costs directly associated  
21 with the use of the videophone(s); and 6) future plans for the use of the videophone(s).

22          (b) The Department of Correction shall submit a report of videophone usage to the Budget  
23 Director, Controller General and members of the Joint Finance Committee by December 1 of each year.  
24 This report shall be based on a period from July 1 through June 30 and shall include a detailed description  
25 of the actual savings, deferred costs and previously anticipated savings and deferrals that were not  
26 realized.

1           Section 22. Notwithstanding any other provision of the Delaware Code or this Act to the  
2 contrary, the Office of the Budget, subject to the approval of the Controller General, is authorized to make  
3 technical adjustments to the personnel complement of any agency as appropriated in Section 1 of this Act  
4 in those situations where, due to the rounding of split-funded positions, such an adjustment is necessary  
5 so that an agency may establish its authorized complement.

6           Section 23. (a) For Fiscal Year 2004, Merit Rule 5.0711 shall be amended to authorize the  
7 appointing authority to approve a starting rate or promotional rate up to 85 percent of midpoint where the  
8 applicant's qualifications are clearly over and above those required by the minimum for the class  
9 specification.

10           (b) Pursuant to Merit Rules 5.0711 and 5.0712, an agency that requests approval of a starting rate  
11 higher than 85 percent of midpoint, or that requests that incumbents be leveled up to the advanced salary  
12 of newly hired employee, shall provide documentation that sufficient funds exist within the agency's base  
13 budget to fund such actions. An agency that requests approval of a starting rate higher than 85 percent of  
14 midpoint shall also indicate if the approval of such starting rate will result in a request to level up the  
15 salary of existing employees, and shall indicate if sufficient funds exist within the agency's base budget to  
16 fund such a leveling up action.

17           Section 24. Effective July 1, 2000 all employee benefit deductions shall be made on a pre-tax  
18 basis. Employees who have currently designated employee deductions on a post-tax basis shall continue  
19 to have those deductions on a post-tax basis as long as the employee remains in a benefit program or the  
20 employee makes a change to pre-tax employee benefit deductions.

21           Section 25. Notwithstanding Chapter 2.0 and Chapter 12.0 of the Merit Rules, upon approval by  
22 the Budget Director, Controller General and the State Personnel Director, temporary appointees may be  
23 assigned to the same position as that already assigned to a permanent employee in order to complete a  
24 special project.

25           Section 26. (a) For the fiscal year ending June 30, 2003, any sums in the following accounts  
26 shall remain as continuing appropriations and shall not be subject to a reversion until June 30, 2004.

	<b><u>Fiscal Year</u></b> <b><u>Appropriation</u></b>	<b><u>Account</u></b> <b><u>Codes</u></b>	<b><u>Remarks</u></b>
1			
2			
3	2002	(01-01-01-01-50)	Contractual
4	2002	(01-01-01-01-60)	Supplies
5	2002	(01-01-01-01-81)	Committee Expenses
6	2000	(01-05-01-01-40)	Travel
7	2002	(01-05-01-01-41)	Legislative Travel
8	2000/01	(01-05-01-01-50)	Contractual
9	2001/02	(01-05-01-01-60)	Supplies
10	1998	(01-05-01-01-85)	Delegation Expense
11	2001	(01-08-01-01-85)	TriCent Committee
12	2001	(01-08-01-01-98)	One-Time
13	2002	(01-08-02-01-50)	Contractual
14	2001/2002	(01-08-02-01-60)	Supplies
15	2001/2002	(01-08-02-01-70)	Capital
16	1997/98/99	(01-08-02-01-80)	Senior Center Reporting
17	2001/02	(01-08-02-01-81)	Contingency - Legislative
18	2002	(01-08-02-01-82)	Family Law Commission
19	2002	(01-08-02-01-85)	Formula Update
20	1998/99/00/01/02	(01-08-02-01-86)	Juvenile Detention Oversight Committee
21	1996	(01-08-02-01-87)	Contingency – Legal
22	2001/02	(01-08-02-01-90)	Neighborhood Schools
23	2001/02	(01-08-02-01-91)	Clean Air
24	2001	(01-08-02-01-92)	Redistricting
25	2001/02	(01-08-02-01-97)	Contingency - Intern
26	1999/01	(01-08-02-01-98)	One-Time
27	2002	(01-08-02-02-00)	TriCent Committee
28	2002	(01-08-02-09-85)	Senior Center Projects

1	2002	(01-08-02-09-87)	Fox Point Park
2	2003	(02-13-10-01-98)	Justice of the Peace Court 1 - Moving
3	2001	(10-02-01-01-97)	PHRST
4	2000/01	(10-02-01-01-82)	Computer One-Time
5	2001/03	(10-02-01-01-85)	Data Development
6	2002/03	(10-02-01-01-91)	Budget Automation
7	1998	(10-02-01-01-98)	One-Time (Automated Release Date Project)
8	2000	(10-02-01-01-99)	Technology
9	1997	(10-02-01-02-01)	Infrastructure
10	2002/03	(10-02-01-02-02)	Evaluation Project
11	2001	(10-02-01-02-04)	Security
12	2000/01/02/03	(10-02-04-01-85)	Legal Fees
13	2001/02/03	(10-02-04-01-89)	Salary/OEC
14	2000	(10-02-04-01-99)	Technology Initiative
15	2003	(10-02-04-02-55)	Livable Delaware
16	2003	(10-02-06-01-96)	Contingency Fund
17	2001	(10-02-08-01-98)	SENTAC Study
18	2001	(10-03-01-01-87)	Welfare Reform
19	2001/02	(10-03-01-01-88)	Workplace Literacy
20	2002/03	(10-04-02-01-81)	Employee Recognition
21	2003	(10-04-02-01-84)	Blood Bank
22	2003	(10-04-02-01-87)	School-to-Work
23	2001/02/03	(10-04-04-01-99)	First Quality
24	2002/03	(10-04-05-01-83)	Self Insurance
25	1995/97	(10-05-01-01-80)	Pilot Programs
26	1999/00/01	(10-05-02-01-80)	Operations
27	2003	(10-07-01-01-88)	Grants 02

1	2000	(10-07-02-01-96)	Technology
2	1997	(11-03-02-01-99)	Technology Initiative
3	2003	(11-03-04-01-97)	Disaster Recovery
4	2002	(12-01-01-01-98)	One-Time
5	2002	(12-03-01-01-95)	First Quality
6	2001	(12-05-01-01-96)	First Quality
7	1995	(20-01-01-01-82)	Millsboro Historical Society
8	2003	(20-01-02-01-98)	One-Time
9	1998/02/03	(20-03-01-01-80)	Historic Markers
10	2002/03	(20-03-01-01-81)	Document Conservation
11	2002/03	(20-03-01-01-82)	Historical Markers
12	1997/99/00/01/02/03	(20-03-01-01-98)	One-Time
13	2003	(20-06-01-01-98)	One-Time
14	2003	(20-06-04-01-81)	Museum Conservation
15	2003	(20-06-04-01-83)	Collections
16	2003	(20-06-04-01-85)	Art Object Refurbishment
17	2003	(20-06-04-01-84)	Operations
18	2002/03	(20-06-04-01-98)	One-Time
19	2003	(20-07-01-01-80)	Disadvantaged Arts
20	2002/03	(20-07-01-01-82)	Arts Grants
21	2001/02/03	(20-08-01-01-80)	Library Standards
22	2003	(20-08-01-01-81)	Delaware Electronic Library
23	2002/03	(20-08-01-01-86)	DelNET
24	1999/2001	(30-05-10-01-95)	Asbestos/UST
25	2001/02	(30-05-10-01-98)	One-Time
26	2003	(35-01-20-01-83)	EBT
27	2001/03	(35-01-20-01-97)	Development

1	2002/03	(35-05-20-01-80)	School Based Heath Clinics
2	2002/03	(35-05-20-01-82)	Immunizations
3	2003	(35-05-20-01-83)	Hepatitis B
4	2002	(35-07-01-01-89)	Medicaid Non-State
5	2000	(35-07-01-01-97)	Medicaid Management Information System
6	2002	(35-07-01-01-97)	Technology
7	2001	(35-07-01-01-98)	Staff Development One-Time
8	1997	(35-07-01-01-99)	DCIS
9	2002	(35-11-20-02-00)	Facility Repair
10	2002	(35-11-30-01-80)	Community Placements
11	2002	(35-11-30-01-81)	Purchase of Care
12	2001/02	(35-11-30-01-82)	Stockley Transition
13	2002/03	(35-12-10-01-84)	Kinship Care
14	2002	(37-01-15-01-96)	First Quality
15	2002	(37-01-50-01-81)	MIS Development
16	2002/03	(38-01-10-01-99)	MIS
17	2002/03	(38-01-30-01-80)	Medical
18	2003	(38-01-31-01-80)	Drug Treatment
19	2002/03	(38-01-40-01-99)	Maintenance and Restoration
20	2001	(40-01-01-01-88)	CZM Administration
21	2002/03	(40-01-01-01-97)	MCI/Equipment
22	2002	(40-01-01-02-01)	First Quality
23	2002	(40-05-04-01-98)	One-Time
24	2002	(40-08-01-01-80)	Delaware Estuary
25	2001	(40-08-02-01-97)	First Quality
26	1998	(40-08-05-01-97)	Permitting Project
27	2002	(40-08-07-01-81)	Whole Basin TMDL

1	2002	(40-09-03-01-83)	Recycle Commission
2	2001	(40-09-03-01-84)	First Quality
3	2003	(45-01-01-01-86)	Real Time Crime
4	1986	(45-01-01-03-81)	Hazardous Waste Revolving Fund
5	2001/02	(45-01-30-01-98)	Assistance Relief Fund
6	2001	(45-04-10-01-80)	Tobacco Enforcement
7	2003	(60-09-20-01-82)	Summer Youth Program
8	2002	(65-01-12-01-81)	Nutrient Management Contingency
9	2001/02	(65-01-12-01-82)	Education – Certification
10	2003	(70-01-01-01-50)	Contractual
11	2002/03	(70-01-01-01-81)	School Elections
12	2002/03	(70-01-01-01-83)	Voter Purge
13	2000	(70-01-01-01-98)	Voter Education Initiative
14	2003	(70-01-01-01-98)	One-Time
15	2001	(70-01-01-02-00)	Reapportionment
16	2002	(70-01-01-02-01)	Technology Development
17	2003	(70-02-01-01-98)	One-Time
18	2001	(70-02-01-02-00)	Reapportionment/Address Verification
19	2001	(70-03-01-02-00)	Reapportionment
20	1997	(70-04-01-01-98)	One-Time
21	2001	(70-04-01-02-00)	Reapportionment
22	2002	(75-01-01-01-97)	Data Development
23	2001	(75-02-01-01-96)	EMT Training
24	2001	(75-02-01-01-98)	One-Time
25	2003	(75-03-01-01-83)	Background Checks
26	2003	(95-01-01-01-89)	State Board of Education
27	2002/03	(95-01-01-01-93)	Building Improvement



1	2003	(95-01-01-01-94)	Educator Certification and Development
2	2001/02	(95-01-01-01-98)	One-Time
3	2002/03	(95-01-01-02-00)	Standards and Assessment
4	2003	(95-01-01-02-02)	DSTP – On Grade Assessment
5	2003	(95-01-01-02-03)	Pupil Accounting
6	2003	(95-01-01-02-06)	Americorps Kickstart Program
7	2003	(95-01-01-02-12)	Professional Standards Board
8	2003	(95-01-01-02-27)	DSTP – Off Grade Assessment
9	2003	(95-01-01-02-28)	DSTP – Retest/EOS/AI
10	2002/03	(95-01-01-02-30)	Educator Accountability
11	2003	(95-01-01-02-81)	DSTP Common Costs
12	2001	(95-02-02-02-02)	Educator Accountability
13	2002/03	(95-02-02-02-04)	School Building Awards
14	2002/03	(95-03-10-01-91)	Professional Development
15	2003	(95-03-15-01-27)	Smithsonian Project
16	2003	(95-03-15-01-31)	Early Education Center
17	2003	(95-03-20-01-27)	Student Discipline Program
18	2003	(95-03-20-01-53)	3-5 Program
19	2003	(95-03-20-01-82)	Early Childhood Assistance
20	2003	(95-03-20-01-90)	Prison Education
21	1999/2002/03	(95-03-20-01-98)	One-Time
22	2002/03	(95-04-01-01-90)	Public School Transportation
23	2003	(95-07-01-01-80)	Operations
24	2003	(95-08-01-01-83)	Scholarship
25	1998	(95-08-01-01-84)	DHEC
26	2000/02/03	(95-08-01-01-85)	Ferguson DSTP Scholarship
27	2000/01/02	(95-08-01-01-88)	Physician Loan

1	2002/03	(95-08-01-01-89)	Legislative Essay
2	1997	(95-08-01-09-75)	GIA Section 1
3	1998	(95-08-01-09-77)	GIA Tuition
4	1994	(95-13-00-01-48)	Teacher in Space
5	2002	(95-18-00-02-41)	Construction Market Pressure
6	2002	(95-29-00-02-41)	Construction Market Pressure

7           (b) Funds appropriated for the following programs shall be appropriated on a 15 month basis and  
8 not be subject to reversion until September 30, 2004: Student Mentoring (appropriation 0207), Discipline  
9 Part II (appropriation 0201), LEP (appropriation 0233), Professional and Curriculum Development  
10 (appropriation 0205), Professional Mentoring (appropriation 0151), Teacher to Teacher Instructional  
11 Cadre (appropriation 0206). Program expenses may not be incurred subsequent to the start of the regular  
12 2004-2005 school year.

13           (c) Funds appropriated to Extra Time for Students (appropriations 0203 and 0204) shall not be  
14 subject to reversion until December 31, 2004.

15           (d) For the Fiscal Year ending June 30, 2003, any sums in Fiscal Year 2003 Appropriation 0213  
16 (Charter School Operations) for Public Education, shall remain as continuing and not be subject to  
17 reversion until June 30, 2004.

18           (e) For the fiscal year ending June 30, 2003, any sums for Fiscal Year 2003 Division II – All  
19 Other Costs (Appropriation 0165), Division II – All Other Costs for Vocational Education (Appropriation  
20 0265), Division II – Energy (Appropriation 0159), Division II – Equalization (Appropriation 0186),  
21 Education Expense and Property Tax Relief Funds (Appropriation 0287), School Building Awards  
22 (Appropriation 0243), School Improvement Funds (Appropriation 0244), and Innovative After School  
23 Initiative (Appropriation 0245) shall become a continuing appropriation in each local school district for  
24 the period of one fiscal year.

25           (f) Of the Continuing Appropriation for Fiscal Year 1996, (01-08-02-01-87), up to \$100.0 may  
26 be used for the Legislative Clean Air Policy Committee, Inc. legal and consulting expenses. With the  
27 approval of Legislative Council, up to \$20.0 may be used for technical assessment.

(g) Section 1 of this Act provides funds for the University of Delaware (90-01-01) for MCI/Equipment. These funds shall not be subject to reversion until June 30, 2006.

(h) Section 1 of this Act provides funds for Delaware State University, Operations (90-03-00) for MCI/Equipment. These funds shall not be subject to reversion until June 30, 2006.

(i) The Department of Transportation shall promulgate and carry out the policies and procedures necessary to deauthorize any unexpended, unencumbered or unprogrammed operating appropriations remaining at the end of the fiscal year.

(i) The Department of Transportation shall provide a list of operating appropriations to be continued into the next fiscal year to include the following: 1) unprogrammed appropriations from prior years, and 2) unencumbered or unprogrammed appropriations from the immediately preceding fiscal year. The list shall be comprised of the accounting code, fiscal year and program description for each appropriation to be continued. The department may request additional authority, on a project by project basis, during the fiscal year. Such requests shall be submitted to the Budget Director and Controller General for approval.

(ii) For fiscal year ending June 30, 2003, any authorizations in the following accounts shall remain as continuing appropriations and shall not be subject to deauthorization until June 30, 2004:

<b><u>Fiscal Year</u></b>	<b><u>Appropriation</u></b>	<b><u>Account Code</u></b>	<b><u>Remarks</u></b>
2002/03		(55-01-01-68-00)	Operations/Capital
2003		(55-01-01-68-05)	Salary Contingency
2003		(55-01-01-68-06)	Environmental Contingency
2003		(55-01-01-68-15)	Personnel Costs
2001/02/03		(55-01-02-68-00)	Operations/Capital
2003		(55-01-02-68-15)	Personnel Costs
2002/03		(55-01-03-68-00)	Operations/Capital
2003		(55-01-03-68-15)	Personnel Costs

1	2002/03	(55-02-01-68-01)	Travel
2	2000/02/03	(55-02-01-68-02)	Contractual/Supplies
3	2002/03	(55-02-01-68-03)	Energy
4	2002/03	(55-02-01-68-04)	Capital Outlay
5	2003	(55-02-01-68-15)	Personnel Costs
6	2000 /01/02/03	(55-03-01-68-00)	Operations/Capital
7	2003	(55-03-01-68-15)	Personnel Costs
8	2002/03	(55-04-01-68-00)	Operations/Capital
9	2003	(55-04-01-68-15)	Personnel Costs
10	2002	(55-04-40-68-00)	Operations/Capital
11	2003	(55-04-40-68-15)	Personnel Costs
12	2001/02/03	(55-04-50-68-02)	Contractual/Supplies
13	2001/02/03	(55-04-50-68-03)	Energy
14	2002/03	(55-04-50-68-04)	Capital Outlay
15	2003	(55-04-50-68-15)	Personnel Costs
16	2001/02/03	(55-04-60-68-00)	Operations/Capital
17	2003	(55-04-60-68-15)	Personnel Costs
18	1999/00/01/02/03	(55-04-70-68-02)	Contractual/Supplies
19	2002/03	(55-04-70-68-03)	Energy
20	2001/02/03	(55-04-70-68-04)	Capital Outlay
21	2003	(55-04-70-68-05)	Storm Contingency
22	2003	(55-04-70-68-15)	Personnel Costs
23	2002/03	(55-04-90-68-01)	Travel
24	2001/02/03	(55-04-90-68-02)	Contractual/Supplies
25	2002/03	(55-04-90-68-03)	Energy
26	2002/03	(55-04-90-68-04)	Capital Outlay
27	2002/03	(55-04-90-68-15)	Personnel Costs

1	2002/03	(55-06-01-85-70)	Transit Administration
2	2003	(55-06-01-85-71)	Transit Ops Plng/Cust Serv
3	2002/03	(55-06-01-85-72)	Transit Operations
4	1987	(55-06-01-85-80)	DTA Operations
5	2003	(55-06-01-85-81)	Newark Transportation
6	2003	(55-06-01-85-83)	Kent & Sussex
7	2003	(55-06-01-85-89)	Taxi Service
8	2000/01/02/03	(55-07-10-68-00)	Operations/Capital
9	2003	(55-07-10-68-15)	Personnel Costs
10	1995	(55-11-10-01-99)	Anti-Theft Project

11        Section 27. Not withstanding any state law to the contrary, State agencies may be assessed and  
12 shall pay the Partners in Procurement Project “Savings Recovery” charge initiated in Fiscal Year 2003.  
13 Such payments are considered allowable charges to all sources of state funding; sources include General  
14 Fund, Appropriated Special Fund, Non-appropriated Special Fund, Bond Fund, Federal Fund and  
15 Transportation Trust Fund. The “Savings Recovery” charge shall be allocated proportionately to the  
16 same final source(s) of funding as the contract payments(s) upon which the “Savings Recovery” charge  
17 was based.

# TOBACCO – MASTER SETTLEMENT AGREEMENT

Section 28. (a) Section 1 of this Act includes Appropriated Special Funds of \$26,742.6 from funds received as a result of the Master Settlement Agreement on tobacco funds. These funds are allocated as follows:

## (10-05-01) Health Care Commission

\$ 500.0	Uninsured Action Plan
500.0	Diabetes
48.1	1.0 ASF FTE – Assistance to the Commission on health issues
9.0	Casual and Seasonal assistance

## (15-01-01) Attorney General

\$ 148.8	2.0 ASF FTEs - legal matters relating to tobacco laws and regulations
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## (35-05-20) Health and Social Services – Community Health

\$9,623.7	Tobacco prevention through Community Based organizations including \$110.0 for Department of Services for Children, Youth, and their Families
169.0	for Personnel Costs
100.0	Research and testing regimens of detecting lesser known illnesses
40.0	Delaware Breast Cancer Collation
500.0	Disease Cost Containment
1,297.1	New Nurse Development

## (35-05-30) Health and Social Services – Emergency Medical Services

\$ 133.5	Public Access Defibrillation initiative
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## (35-06-40) Health and Social Services – Alcoholism, Drug Abuse, and Mental Health

\$ 200.0	Transitional housing for persons completing detoxification
500.0	Heroin Residential Program

1 (35-07-01) Health and Social Services – Social Services

2 \$7,500.5 Prescription Drug Program

3 1,485.0 SSI coverage for persons who lose benefits due to unearned income; Health care  
4 coverage and supplemental payments necessary to insure federal Medicaid  
5 matching funds for former SSI persons who lose benefits due to unearned income

6 988.7 Increase Medicaid eligibility for pregnant women/infants to 200 percent of  
7 poverty, attendant care and Breast/Cervical cancer treatment.

8 1,091.3 SSI Supplement

9 790.0 Legal Non-Citizen Health Care

10 (35-14-01) Health and Social Services-Services for Aging and Adults with Physical Disabilities

11 \$ 351.2 Assisted Living

12 (45-04-10) Public Safety – Alcoholic Beverage Control

13 \$ 499.0 3.0 FTE Agents and 1.0 FTE Clerical for Enhanced Enforcement

14 (95-01-01) Public Education – State Board of Education and Department of Education

15 \$ 77.7 1.0 ASF FTE School Health Coordinator for statewide training

16 120.0 Professional development of public school staff, promotion of prevention  
17 activities in private schools, and prevention and health promotion supplies in  
18 public schools

19 70.0 Pilot Life Skills Training Program or other research-based programs

20 All of the above allocations are contained in the specified budget units in Section 1 of this Act  
21 including associated positions and line item funding. The funds herein appropriated shall be disbursed in  
22 accordance with the recommendations of the Delaware Health Fund Advisory Committee as amended by  
23 the Joint Finance Committee. The Budget Director is charged with reviewing proposed project  
24 disbursements to insure that the resources are being spent in an efficient and effective manner. In this  
25 effort, the Budget Director may consult with the Chairs of the Joint Finance Committee.

26 (b) Effective June 15, 2003, all remaining unallocated funds shall be invested by the Cash  
27 Management Policy Board and any interest accrued shall be deposited to the credit of the funds of the

- 1 Master Settlement Agreement. All funds from the above allocations left unexpended or unencumbered
- 2 shall be transferred back to the Cash Management Policy Board and reinvested.



# LEGISLATIVE

Section 29. Of the total positions authorized in Section 1 of this Act for the Division of Research (01-08-01), the position of Research Assistant to the House and Senate Sunset Standing Committees shall be an exempt position and shall report to the Director.

Section 30. Section 1 of this Act provides an appropriation to the Office of the Controller General (01-08-02) for Contingencies: Legislative Council. Requests from the Chairs of Standing Legislative Committees for professional staff assistance shall be submitted to the Legislative Council for approval or disapproval. Approvals for professional staff assistance shall be allowed within the limits of the appropriation and as provided by guidelines established by the Legislative Council.

Section 31. Section 1 of this Act provides an appropriation to the Office of the Controller General (01-08-02) for Contingencies: Legislative Council. Requests from various task forces and committees of either the House of Representatives or the Senate for travel expenses, meeting expenses, contractual services and any other expenses shall be submitted to the Legislative Council for consideration.

Section 32. The Controller General shall receive compensation at a rate of a Tier 1 level Cabinet position as determined by the Compensation Commission. Such compensation may be adjusted by the Legislative Council as defined in 29 Del. C. § 1110(e).

Section 33. Section 1 of this Act makes an appropriation to the Office of the Controller General (01-08-02) for legal expenses regarding neighborhood schools. Expenditures of such funds shall be approved by both the Speaker of the House and the President Pro Tempore of the Senate on issues arising from planning for and implementation of neighborhood schools.

# JUDICIAL

Section 34. Section 1 of this Act contains position authorizations and associated appropriations to the Justices of the Peace Courts (02-13-10) included for the purpose of maintaining business hours in the following courts as required by caseload and permitted by staffing:

J.P. Court #2 (Lewes)	10 eight-hour shifts per week
J.P. Court #4 (Seaford)	10 eight-hour shifts per week
J.P. Court #10 (Prices Corner)	12 eight-hour shifts per week
J.P. Court #15 (Claymont)	10 eight-hour shifts per week
J.P. Court #20 (City of Wilmington)	21 eight-hour shifts per week

Section 35. This Act appropriates Appropriated Special Funds to the Court of Chancery (02-02-00) and to the Court of Common Pleas (02-06-00). Notwithstanding other statutes to the contrary, the Court of Chancery is authorized to retain a portion of the fees, costs and interest it will collect in an amount sufficient to cover the personnel and operating costs of the statewide Register in Chancery office. Notwithstanding other statutes to the contrary, the Court of Common Pleas is authorized to retain a portion of the fines and fees collected from receivables inherited from the former City of Wilmington Municipal Court in an amount sufficient to cover the personnel and operating costs of the two Court Clerks and one Fiscal Administrative Officer assigned to collect these receivables. Adjustments to the Appropriated Special Fund spending authority for these courts may be made upon the concurrence and approval of the Budget Director and the Controller General.

Section 36. Notwithstanding any other provisions of the Delaware Code, \$424.8 ASF from the Victim Compensation Fund shall be transferred to the Victim Offender Mediation Program appropriation in the Office of the State Court Administrator (02-17-01) to support Victim Offender Mediation Programs. The Victim Offender Mediation Committee will determine which programs are to be awarded funds from this appropriation.

Section 37. Upon the approval of a plan submitted to the Budget Director, Controller General and the co-chairs of the Joint Finance Committee, the Chief Justice shall have the flexibility to transfer positions from individual courts to the Administrative Office of the Courts for the purpose of centralizing

1 administrative functions for operations in the New Castle County Court House. Notwithstanding any  
2 other provisions of this Act, or the Delaware Code, positions and funding may be transferred from  
3 Supreme Court (02-01-00), Court of Chancery (02-02-00), Superior Court (02-03-00), Court of Common  
4 Pleas (02-06-00) and Family Court (02-08-00) to the Administrative Office of the Courts, Office of the  
5 State Court Administrator (02-17-01), the Administrative Office of the Courts, Office of State Court  
6 Collections Enforcement (02-17-03) or the Administrative Office of the Courts, Judicial Information  
7 Center (02-17-04). Only positions from the courts or other judicial positions located in New Castle  
8 County may be considered for transfer under this section. In the cases where Merit System positions are  
9 transferred, the incumbents shall retain their Merit System status.

# EXECUTIVE

Section 38. (a) Section 1 of this Act appropriates \$1,900.0 to the Office of the Budget (10-02-01) for Technology Department. For Fiscal Year 2004 the following projects may receive an allocation for planning, development, procuring services or conducting a feasibility/investment analysis provided they meet all of the requirements contained within this Section:

<u>DEPARTMENT / AGENCY</u>	<u>SERVICE NEED</u>
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Executive	
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Office of State Personnel	State Payroll System Upgrade
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Other Elective	
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Auditor of Accounts	Audit Tracking System
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Safety and Homeland Security	
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Special Investigation	Enforcer Maintenance
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Allocation of the funds appropriated for this purpose shall be made by the Budget Director in consultation with the affected department/agency head. Project allocations shall not be transferred to another department/agency unless approved by the Budget Director. In the event federal funds are available for match in support of a project or projects, the Budget Director and the Controller General may transfer such funds as are necessary to meet the match requirements to the department/agency involved.

(b) In no instance shall any information technology (IT) project identified in Subsection (a) of this Section be initiated by the department/agencies during this fiscal year, until its formalized plan is approved by the department/agency head, the Budget Director and state Chief Information Officer. The project plan and the request for funding to be transferred shall consist of a business case for the project which includes:

(i) needs analysis;

(ii) business process to be impacted/re-engineered;

(iii) risk assessment;

(iv) stakeholder impact assessment;

1 (v) cost-benefit analysis;

2 (vi) an analysis of the total cost of ownership which includes costs incurred during all phases  
3 of the development and operational life cycles.

4 In no instance shall any project be approved by the Budget Director if any portion of the above  
5 project plan requirements are absent in the department/agency's request for a transfer of funds.

6 (c) No IT project receiving funds through Subsection (a) is to be undertaken which is beyond the  
7 scope of work approved by the department/agency head and the Budget Director. Changes in scope or  
8 cost that fundamentally alter the original intent of an approved project shall be communicated to the  
9 Budget Director, Controller General and the state Chief Information Officer. Departments/agencies  
10 failing to communicate this information in a timely manner may result in the project being postponed or  
11 terminated. This requirement applies to all Information Technology (IT) or technology related systems  
12 development performed by the Department of Technology and Information, the department/agency itself,  
13 or an outside consultant or contractor. Further, this requirement applies to IT applications or systems  
14 purchased or otherwise acquired and placed in use.

15 (d) Funding shall be transferred on a phase by phase basis. Except for the initial transfer where  
16 the project plan needs to be approved, subsequent funding transfer requests shall be contingent upon the  
17 receipt and review of quarterly project status reports by the Budget Director, Controller General and Chief  
18 Information Officer. In instances where the project requires a transfer prior to the deadline for the  
19 quarterly report, a report of the project's status at the time of the request will be necessary.

20 (e) All projects executed between the Department of Technology and Information, the Budget  
21 Office, and the concerned department/agency, the Department of Technology and Information shall  
22 maintain staff support to the benefit of the department/agency at the projected level of effort (subject to  
23 recruitment delays) until the project work has been accomplished.

24 (f) In no case shall funds appropriated in Section 1 of this Act be used to employ data or work  
25 processing professionals in support of current or proposed information technology projects with the  
26 express written approval of the Budget Director.

1 (g) For Fiscal Year 2004, the project identified as “Safety and Homeland Security, State  
2 Police—Enforcer Maintenance” in Subsection (a) shall only become eligible for funds through this  
3 Section if other sources of funding are unavailable. Safety and Homeland Security, State Police is  
4 strongly encouraged to solicit all potential sources including federal grants.

5 Section 39. All agencies are directed to remit payment for services rendered by the Department  
6 of Technology and Information within 30 days of receipt of invoice. Services may include, but are not  
7 limited to, postal metering, distribution supplies, telecommunication and telephone services, professional  
8 services, and data processing services.

9 If a timely payment problem exists, the Department of Technology and Information may require  
10 all agencies and school districts receiving services to make monthly estimated payments toward their  
11 invoice. The estimated payments should be equal to the average of the last three months of reconciled  
12 payments; or payments based on a schedule established by the department. The department will continue  
13 to be responsible for the actual payments to telephone companies and other vendors. In addition, the  
14 department will be responsible for the reconciliation of accounts with the user agencies and school  
15 districts.

16 Section 40. The General Assembly finds that the establishment of the federal Temporary Aid to  
17 Needy Families (TANF) block grant has left the state vulnerable to deficits from caseload increases  
18 attributable to an economic downturn. In order to minimize such exposure, the funds within the Reserve  
19 Account for Children’s Services Cost Recovery Program (CSCR) Disallowances (10-02-01-80-51) shall  
20 be available to mitigate to the extent possible, projected deficits in TANF supported programs within  
21 Social Services, Department of Health and Social Services. The use of such funds for such purposes shall  
22 require the approval of the Budget Director and Controller General.

23 Section 41. The amount appropriated to the Office of the Budget, Contingency and One-Time  
24 Items, Prior Years' Obligations, shall be used to pay Personnel Costs, reimbursement of overpayment of  
25 fringe benefits, and other obligations except coding errors by a school district which require adjustment of  
26 the state's accounts. Any use of the Prior Years' Obligations account by any agency receiving funds in  
27 Section 1 of this Act, in excess of the amount reverted from the applicable line code on June 30 of the

1 fiscal year in which the expense was incurred, will require the requesting agency or school district to  
2 reimburse the Prior Years' Obligations account by the amount equal to the excess requested. A line code  
3 reversion sum does not negate the necessity of encumbering sufficient funds to cover known expenses,  
4 proof of circumstances beyond an agency's ability to encumber must be documented on the request for  
5 transfer to be excluded from the reimbursement clause. All requests for prior year funds to complete the  
6 payment of one-time items will require a reimbursement to the Prior Years' Obligations account by the  
7 requesting agency from any appropriation other than personnel costs. The reimbursement can be  
8 removed from the current fiscal year's budget. The reimbursement clause shall not apply to legal  
9 judgments against the agency or school district. A reimbursement under this Section shall not be deemed  
10 to be prohibited by 10 Del. C. § 8111.

11 Section 42. For Fiscal Year 2004, 29 Del. C. § 6529 is interpreted to include the ability to  
12 implement a hiring review process. All State agencies with the exception of Legislative, Judicial, Higher  
13 Education and School Districts shall be subject to the provisions of 29 Del. C. § 6529 as interpreted by this  
14 section. Implementation of a hiring review process shall require all positions to be reviewed and approved  
15 by the Budget Director and the State Personnel Director prior to filling. All non-cabinet agency hiring  
16 requests shall also require the review and approval of the Controller General prior to filling.

17 Section 43. Section 1 of this Act proposed a position complement reduction. The complement  
18 reduction will be the result of a review conducted by a committee with representatives from the Budget  
19 Office, Controller General's Office and the State Personnel Office. The committee will examine vacancies  
20 across all agencies of state government including the Department of Education, Other Elective offices, and  
21 the Legislative and Judicial Branches. This section shall not apply to the school districts or public  
22 education. Recommendations shall be provided to the Co-Chairs of the Joint Finance Committee and the  
23 Governor no later than May 1, 2003.

24 Section 44. The appropriation in Section 1 of this Act to the Office of the Budget, Contingencies  
25 and One-Time Items (10-02-04) for Contingency, Appropriated Special Funds for \$23,000.0 shall be used  
26 to make adjustments in the amount of state special fund appropriations in the event additional state special

funds are received which were not previously anticipated. Such adjustments shall be made in accordance with the approval of the Budget Director and the Controller General.

Section 45. Section 1 of this Act provides an appropriation to Office of the Budget, Contingencies and One-Time Items (10-02-04). It is the intent that the appropriation for One-Time Appropriations in the amount of \$3,115.8 shall be non-recurring expenditure items. The Budget Director shall transfer the appropriations as itemized to the departments. Each receiving department shall identify the line item, object code and, for all practical purposes, complete and separate accountability for each appropriation amount transferred. No appropriation shall be transferred without the Budget Director and the Controller General approvals. Any one-time appropriation for computer hardware, software and telecommunications, which contemplates the development of computer-related systems, shall be transferred into the line Computer One-Time Projects in Office of the Budget, Administration (10-02-01). The expenditure of computer or computer related funds shall be subject to the restrictions of the Development Fund.

Further, it is the legislative intent that none of the appropriations for One-Time Appropriations be included, or be considered, as a part of the budget request for the Fiscal Year 2004 Appropriation Bill.

Where applicable, the appropriations to Office of the Budget, Contingencies and One-Time Items (10-02-04), are subject to the following terms and conditions:

<b>Account Codes</b>	<b>Remarks</b>	<b>Fiscal Year Appropriation</b>
(11-03-04)	Mainframe Upgrade	\$1,251.0
(20-03-01)	Bill of Rights Exhibit	\$176.0
(38-04-03)	Radios for Corectional Officers/Corporals at "B" Building	\$8.8
(45-06-09)	Replacement for Vests	\$80.0
(65-01-01)	Crop Insurance	\$600.0
(70-01-01)	2004 Presidential Primary	\$219.9
(70-02-01)	New Castle County – 2004 Presidential Primary	\$459.1
(70-03-01)	Kent County – 2004 Presidential Primary	\$201.8
(70-04-01)	Sussex County – 2004 Presidential Primary	\$119.2



1        Section 46. Section 1 of this Act includes 1.0 FTE in the Executive Department, Office of the  
2        Budget, Statistical Analysis Center (10-02-08) for the Director of the Statistical Analysis Center. This  
3        position shall be exempt from the Merit System until such time as the current incumbent vacates the  
4        position, at which time the position shall be classified by the Director of State Personnel in accordance  
5        with the Merit System and 29 Del. C. c. 59.

6        Section 47. The Statistical Analysis Center (10-02-08) shall submit an annual project schedule  
7        detailing the staff workload and time allocation by July 15. This schedule shall be reviewed by the  
8        Criminal Justice Council and approved by the Budget Director and the Controller General. No changes  
9        shall be made to the work schedule without the approval of the Budget Director.

10       Section 48. Notwithstanding the provisions of any other law, for the fiscal year ending  
11       June 30, 2004 interest earnings of the Delaware Strategic Fund as provided for in 29 Del. C. § 5027, shall  
12       to the extent of such interest earnings, be used in the following order and manner, not to exceed the  
13       amounts so noted:

14       (i)    The first \$320.9 shall be used for the general operating expenses of the Delaware Economic  
15       Development Office, as determined by the Director of the Delaware Economic  
16       Development Office.

17       (ii)   The second \$125.0 shall be used for the general operating expenses of the economic  
18       development trade office in Taiwan.

19       (iii)   The third \$350.0 shall be used for the general operating expenses of the Delaware Small  
20       Business Development Center.

21       (iv)   The fourth \$300.0 shall be used to continue the Delaware Business Marketing Program  
22       within the Delaware Economic Development Authority (10-03-03). It is the intent of the  
23       General Assembly that these funds shall be used together with non-state contributions to  
24       the Delaware Business Marketing Program. Non-state contributions may be made in cash,  
25       or in-kind. Non-state cash contributions shall be deposited in a special fund for business  
26       marketing and recruitment purposes only. Non-state in-kind contributions shall be valued  
27       at their fair market value and recorded in records maintained by the Delaware Economic

1 Development Authority in connection with the Delaware Business Marketing Program.  
2 Expenditures of the program shall be divided between non-state contributions and state  
3 funds for any fiscal year's appropriations such that non-state contributions are not less than  
4 fifty percent of total expenditures. Of the fifty percent non-state contributions, up to  
5 twenty-five percent shall be cash contributions, and up to twenty-five percent shall be in-  
6 kind contributions. These funds shall not be used for hiring full-time employees. On or  
7 before April 1, 2004, the Director of the Delaware Economic Development Office shall  
8 provide to the Budget Director and the Controller General a report on the Delaware  
9 Business Marketing Program. The report shall include an itemized list of non-state cash  
10 and in-kind contributions received, total expenditures and an assessment of the program to  
11 date.

12 (v) The fifth \$150.0 shall be used to provide customized information technology training to  
13 small and medium-sized businesses through grants made by Delaware Technical and  
14 Community College I. T. Learning Center. Funds allocated to the Workforce Development  
15 section during Fiscal Year 2002, to the extent not already distributed or committed, shall  
16 also be allocated to said Learning Center.

17 (vi) Any remaining funds shall be used for the purposes of the Delaware Strategic Fund.

18 Section 49. The Delaware Economic Development Office, Office of the Director (10-03-01) will  
19 continue to use revenue from the Blue Collar Training Fund for the Workforce Development Grant.  
20 Funding for this grant shall be maintained at current levels.

21 Section 50. Section 1 of this Act includes a General Fund appropriation for Contractual Services  
22 within (10-03-01) Office of the Director. Of these funds, \$49.5 shall be used to extend the contractual  
23 administration for the Neighborhood Assistance Tax Credit Act (Senate Bill 248) of the 140<sup>th</sup> General  
24 Assembly through the fiscal year ending June 30, 2004.

25 Section 51. Section 1 of this Act appropriates \$2,014.1 ASF to the Delaware Tourism Office (10-  
26 03-02). The monthly transfer of ASF from the Public Accommodations Tax to the Delaware Tourism  
27 Office shall be applied in the following order: Funds received by the Delaware Tourism Office shall be

1 applied according to a proportional allocation based on the total amount budgeted for each line (with the  
2 exception of Personnel Costs in Section 1 of this Act). Funds for other organizations shall be payable by  
3 the Delaware Tourism Office in quarterly installments. The first quarterly payment shall be disbursed  
4 after the September ASF are received or as otherwise approved by the Budget Office and the Controller  
5 General. Notwithstanding the preceding, the Delaware Tourism Office shall not distribute by application  
6 of the foregoing formula more than the amount of the ASF authorization set forth in Section 1 of this Act  
7 as designated for any person or entity other than the Delaware Tourism Office.

8 Section 52. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
9 02) pursuant to 30 Del. C. § 6102(b) contained in Section 1 of this act, \$160.0 ASF shall be used to fund a  
10 matching grants program and \$40.0 ASF shall be used for a grant program where no match is required.  
11 Funds awarded as either grants or matching grants shall not be used for overhead or personnel related  
12 costs by the recipient entities. The Delaware Tourism Office, in cooperation with the Tourism Advisory  
13 Board shall develop rules and regulations for the application and award of the grants and matching grants.  
14 The Delaware Tourism Office shall provide the Controller General and Budget Director with a report by  
15 April 1, 2004, detailing the usage of the funds herein authorized. Said report shall also contain an  
16 assessment of the effectiveness of the programs in increasing tourism throng. If subsequent to the  
17 enactment of this Act, Public Accommodations revenue should prove greater than the budgeted amount of  
18 Fiscal Year 2004, the first \$50.0 ASF shall be used to restore full funding for the Matching Grants and  
19 Grant appropriation to \$250.0 ASF. In this event, the Matching Grant portion of the distribution shall be  
20 \$200.0 ASF and the Grant portion shall be \$50.0 ASF.

21 Section 53. Section 1 of this Act authorizes ASF positions and funding to the Delaware Tourism  
22 Office (10-03-02). Should said ASF authorization prove inadequate to support the authorized positions as  
23 contained in Section 1 at any time during Fiscal Year 2004, the Budget Director and Controller General  
24 are hereby authorized to transfer sufficient funding from any other source to Tourism's Personnel Cost  
25 line.

26 Section 54. Of the Appropriated Special Funds allocated to the Delaware Tourism Office

1 (10-03-02) pursuant to 30 Del. C. §6102(b) contained in Section 1 of this Act, \$200.0 ASF shall be used  
2 to fund a grant program(s) to develop tourism and market Delaware as a destination. Funds awarded as  
3 either grants or matching grants shall not be used for overhead or personnel-related costs by the recipient  
4 entities. The Delaware Tourism Office, in cooperation with the Governor's Tourism Advisory Board,  
5 shall develop rules and regulations for the application and award of the grants. The Delaware Tourism  
6 Office shall provide the Controller General and Budget Director with a report by April 1 of each fiscal  
7 year, detailing the usage of the funds herein authorized.

8 Section 55. Of the Appropriated Special Funds allocated to the Delaware Tourism Office (10-03-  
9 02) pursuant to 30 Del. C. § 6102 (b) contained in Section 1 of this Act, \$250.0 is authorized for the  
10 Kalmar Nyckel. During the period beginning July 1, 2003, and ending on June 30, 2004, the State of  
11 Delaware, through the Delaware Tourism Office, and the Riverfront Development Corporation, shall be  
12 entitled to charter the Kalmar Nyckel. Said use is to include docked guest entertaining privileges and /or  
13 day sails at no cost for as many State of Delaware guests as is consistent with Kalmar Nyckel safety  
14 policies. Scheduling for State and Riverfront Development Corporation use of the Kalmar Nyckel shall  
15 be at mutually agreeable times and locations to the Kalmar Nyckel, the Delaware Tourism Office on  
16 behalf of the State of Delaware and the Riverfront Development Corporation.

17 Section 56. Any other statutory provision notwithstanding, any change to the Merit Rules  
18 required by an Act of the Legislature, shall be codified in the Merit Rules by the Office of State  
19 Personnel.

20 Section 57. Section 1 of this Act appropriates 2.0 ASF FTEs in the Office of State Personnel (10-  
21 04-00). The State Personnel Director shall be the appointment authority for these positions, which shall  
22 be Human Resource Officers who will work on personnel issues for the Department of Transportation.  
23 The source of funding for these positions shall be the Department of Transportation, Technology and  
24 Support Services (55-02-00) and that agency shall reimburse the Office of State Personnel quarterly for  
25 all Personnel Costs and Other Employee Costs associated with these two positions.

26 Section 58. The State Employees Pension Benefits Review Committee will continue to review  
27 the pension plan by using appropriate and accepted comparative analysis, including, but not limited to, the

benefit structure of the various state pension systems for the purpose of evaluating current pension plan benefits and recommending changes.

The committee membership will consist of the Chairman and the Vice Chairman of the Legislative Joint Finance Committee, one member of the Senate appointed by the President Pro Tem, one member of the House of Representatives appointed by the Speaker, three members appointed by the Chairman of the Board of Pension Trustees, one member of the Pension Advisory Council, the Pension Administrator, the State Personnel Director, the Budget Director, and the Controller General.

The Budget Office, the Controller General's Office, and the Pension Office shall provide the committee with staff support and such other resources as the committee may require.

Section 59. Whenever the annual valuation of the market value of the assets of the Special Pension Fund exceeds the actuarial value of benefits available to persons entitled to receive special pensions by a factor of at least 20 percent, the Board of Pension Trustees may transfer the excess over 20 percent or any part of it to the State Employees Pension Fund for the benefit of that Fund.

Section 60. The Board of Pension Trustees may allocate the pension/health insurance monies received from the State during any month to ensure that funds are available to pay health insurance premiums for retirees in each month.

Section 61. The line item, DIDER Operations, in Section 1 of this Act, Delaware Institute of Dental Education and Research (10-05-03), as provided by 14 Del. C. c. 88, provides for three dental internships and sufficient funds to contract with the Delaware Psychiatric Center to continue the Dental Internship Program. This program also will serve clients in the Community Mental Retardation Program.

Section 62. Section 1 of this Act appropriates \$2,047.5 to the Delaware Institute of Medical Education and Research (DIMER) (10-05-02). This amount shall be allocated as follows:

Jefferson Medical College	\$1,000.0
Philadelphia School of Osteopathic Medicine	237.5
University of Delaware	50.0
Christiana Care Health System	200.0
Scholarships/Loans	460.0

Loan Repayment	<u>100.0</u>
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\$2,047.5

Any changes in this allocation must receive prior approval from the Budget Director and the Controller General.

Of the Scholarship/Loans allocation identified above, \$400.0 is to be used to provide financial assistance for students attending the Jefferson Medical College and \$60.0 is to be used for students attending Philadelphia College of Osteopathic Medicine. The DIMER Board will be responsible for restructuring grant/loan program in effect since 1993 into either a scholarship program or a loan program with more favorable tax consequences than the previous program. Any loan or scholarship program developed by the DIMER Board will be repaid under terms and conditions that will be coordinated with the Delaware Higher Education Commission, who shall be responsible for monitoring and enforcement. In designing either a scholarship or loan program, the DIMER Board will consider the need to assure that there is a continuing supply of physicians for Delaware. The loan repayment allocation of \$100.0 shall be used to recruit physicians, either medical doctors or doctors of osteopathic medicine, to Delaware. Recruitment tools include, but are not limited to, loan repayment programs. Scholarships, loans and loan repayment programs will be approved by the Delaware Health Care Commission, the Budget Director and the Controller General.

Section 63. Section 1 of this Act appropriates funding for a 1.0 FTE Senior Secretary in Criminal Justice Council (10-07-01) to be used as dedicated secretarial support for the Executive Director of the Domestic Violence Coordinating Council. This position shall be an exempt position and shall be excluded from classified service as defined under 29 Del. C. § 5903.

# DEPARTMENT OF TECHNOLOGY AND INFORMATION

Section 64. Amend 29 Del. C. §6528 by striking the current subsection (e) in its entirety and substituting in lieu thereof the following:

“(e) The provisions of subsection (d) of this section shall be waived with respect to the Department of Technology and Information. Requests from the Chief Information Officer to transfer funds appropriated to personnel costs to contractual services or from contractual services to personnel costs may be made upon the approval of the Budget Director and the Controller General. In no instance shall unexpended funds appropriated to contractual services be transferred to personnel costs to provide salary increases to employees within the Department of Technology and Information.”

Section 65. The Chief Information Office shall not make any changes to the department’s compensation plan regarding any aspect of employee compensation without the approval of the State Personnel Director, Budget Director and the Controller General. Further, sufficient funding within the department must be available for any change to be approved.

Section 66. The state government of Delaware, recognizing the inherent value in implementing common standards, has chosen Windows 2000 as its statewide network platform and messaging system. In an effort to establish a single, common electronic messaging platform throughout the state, no state agency/department shall migrate, change or switch to an alternative messaging platform without the express written consent of the Chief Information Officer, the State Budget Director and the Controller General. Any agency seeking exemption from this requirement must submit a request to the Department of Technology and Information stating clearly reasons for migrating to an alternative platform.

Section 67. The Department of Technology and Information (11-00-00) shall receive a lump sum appropriation calculated as a fixed percentage of all salaries, excluding the Chief Information Officer, as appropriated to the Department in Section 1 of this Act. The lump sum amount shall be the product of the general salary increase in Section 8 of this Act and Personnel Cost lines less non-salary driven OEC components. Overtime and Casual and Seasonal components of the Personnel Cost lines shall not be part of the calculation. The resultant lump sum amount may be distributed to employees in accordance with the Department’s approved compensation plan. However, in no case shall individually awarded increases

1 exceed five percent of an individual's base salary, nor shall the aggregate amount awarded exceed the  
2 Department's total Personnel Cost line. Further, in no case shall individually awarded amounts be given  
3 retroactively.

4 Section 68. (a) Section 1 of this Act integrates the Delaware Center for Education Technology  
5 (95-07-00) with the Department of Technology and Information (11-00-00) for the purpose of  
6 streamlining, maximizing, and making more efficient the use of state resources to accomplish the  
7 common goal of providing superior services to state agencies, public education and Delaware's citizens.  
8 In no case shall any current employee of the Delaware Center for Education Technology be terminated  
9 during the transition process.

10 (b) Section 1 of this Act transfers an appropriation of 5.0 FTEs, \$517.9 Personnel Costs and  
11 \$100.0 Contractual Services from the Delaware Center for Education Technology (95-07-00) to the  
12 Department of Technology and Information (11-00-00). In doing so, the Department of Technology and  
13 Information assumes the responsibility to engage in activities related to total project needs and budgets  
14 for statewide technology projects impacting the education community, the establishment of cost-sharing  
15 projects, the initiation, procurement and maintenance of statewide technology contracts impacting the  
16 education community, and the continued collaboration with the Department of Education to provide  
17 professional training programs related to using technology in schools which promote and support  
18 Delaware's education standards initiative. Furthermore, the Department of Technology and Information  
19 accepts the responsibility of continuing to provide technical assistance for the initiation of system-wide  
20 applications for administrative and curriculum development.

21 (c) Amend 14 Del. C. c. 42 by repealing said chapter in its entirety.

22 (d) Amend 29 Del. C. §9012C by deleting that section in its entirety and substituting in lieu  
23 thereof the following: §9012C. "There is hereby established a Technology Investment Council  
24 hereinafter referred to as the "Council." The Council shall consist of the following 11 members:

25 (1) The CIO, who shall serve as Chair of the Council;

26 (2) The Chief Justice of the Supreme Court or their designee;

27 (3) The Controller General or their designee;



- 1 (4) The Secretary of Education or their designee;
- 2 (5) Seven members selected to serve at the discretion of the Governor, two of which
- 3 shall be representatives from the local school districts.”

## OTHER ELECTIVE OFFICES

Section 69. Of the total positions authorized in Section 1 of this Act for the Auditor of Accounts (12-02-01), the position of Community Relations Officer shall be exempt from classified service.

Section 70. Section 1 of this Act reflects for the Auditor of Accounts (12-02-01) sufficient state-match funding for federally-mandated audit services. If, during the first three months of any fiscal year, the State Auditor should experience a cash flow deficit in fulfillment of federal audit responsibilities, the Budget Director, upon the request of the State Auditor, shall attempt to advance sufficient funding from the Indirect Cost Account.

Section 71. Amend 18 Del. C. §305 (e) by deleting the number “300,000” as it appears therein and substituting in lieu thereof the number “600,000”.

Section 72. Section 1 of this Act contains ASF position authorizations and associated appropriations for the Bureau of Examination, Rehabilitation and Guaranty, Insurance Commissioner (12-03-02). Said authorizations and appropriations include an authorization for 1.0 Director of Administration and 1.0 Arbitration Secretary, both of which shall be exempt.

Section 73. Section 1 of this Act provides an ASF appropriation of \$3,160.8 to the State Treasurer, Administration (12-05-01), Cash Management Policy Board, authorized by 29 Del. C. c. 27, for the purpose of providing staff support and operational expenses, including payment of fees for banking services. The \$3,160.8 in interest income on bank deposits shall be coded as special fund revenue to provide funds for operation of the Cash Management Policy Board.

Section 74. Section 1 of this Act establishes a special fund appropriation entitled Electronic Data Interchange, State Treasurer, Administration (12-05-01) Cash Management Policy Board to support the Electronic Data Interchange/Electronic Funds Transfer initiative. Use of these funds shall be coordinated with and approved by the Chief Information Officer of the Department of Technology and Information and the Secretary of Finance.

Section 75. Amend 29 Del. C. §6059 by striking said section in its entirety and substituting in lieu of the following: “The costs of administering the deferred compensation program, excluding personnel

costs, shall be borne by the participants of the program in accordance with regulations adopted by the Council.”

Section 76. The State Treasurer’s Office shall develop a rate for the purpose of recovering costs associated with the state’s acceptance of funds through the use of credit, debit and purchasing cards. Cost recoverable activities shall include online transactions as well as traditional card transactions. The initial rate and periodic necessary adjustments to the rate shall be approved by the Office of the Budget. The Treasurer’s Office may initiate an automated revenue reduction process, equal to the approved rate, for all cash receipts received by the aforementioned methods. The Treasurer’s Office shall provide the agency with a statement of total revenue or payment, less transaction costs and net revenue. In lieu of an automated revenue reduction process the Treasurer’s Office may invoice a state agency for necessary reimbursement. The use of these recovered funds shall be for the sole purpose of payment of Merchant Services fees.

Section 77. The State Treasurer’s Office, with the assistance of the Department of Technology and Information and the Delaware Government Information Center, where appropriate, shall evaluate and approve the payment component of all new web-based technology initiatives involving the electronic remittance of funds to the state. Specifically, those projects promoting the use of online credit card payment, online debit card payment, Automated Clearing House payments, “e-checks” and other forms of electronic funds transfer shall be subject to this joint review and approval process. For those agencies that already use online credit card payment, online debit card payment, Automated Clearing House payment, “e-check” or other forms of electronic funds transfer, those agencies shall be exempt from this requirement unless and until such time as their current electronic payment component must undergo any type of upgrade or the contract is due to expire at which point the agency shall investigate the feasibility of implementing the state’s designated payment component. A standard evaluation form will be designed by the State Treasurer’s Office with the assistance of the Department of Technology and Information and the Government Information Center, where appropriate, and approved by the Office of the Budget.

Section 78. In accordance with 29 Del. C. c. 27, the State Treasurer, with the concurrence of the Department of Technology and Information, may approve pilot projects for the purpose of electronically

1 transmitting remittance advices to those employees or contractors receiving payments via direct deposit  
2 and electronic funds transfer. Agencies, including school districts and higher education, shall submit their  
3 request and documentation of cost savings in accordance with the guidelines established by the Office of  
4 the State Treasurer. The University of Delaware is authorized to continue the distribution of payroll  
5 remittance advices. Pilot projects shall be approved for a period of no more than two years, at which time  
6 agencies shall report the status of the project and cost savings to the General Assembly, State Treasurer  
7 and the Budget Director.

8 Section 79. The positions of Director and Deputy Director of the Department of Insurance, Fraud  
9 Prevention Bureau (12-03-01) will be classified as merit positions.

# LEGAL

Section 80. (a) Section 1 of this Act authorizes an appropriation for Contractual Services for the Office of the Attorney General (15-01-01). Of this amount, \$394.3 shall be used to provide family violence services in New Castle County, and \$211.3 shall be used to provide family violence services in Kent and Sussex counties. Notwithstanding any other provisions of the Delaware Code, funding for family violence services in New Castle County shall be augmented by \$429.3 ASF transferred from the Victim Compensation Fund, and funding for family violence services in Kent and Sussex counties shall be augmented by \$230.2 ASF also transferred from the Victim Compensation Fund.

(b) Notwithstanding any other provisions of the Delaware Code, \$273.8 ASF from the Victim Compensation Fund shall be transferred to the Victims Rights appropriation in the Office of the Attorney General (15-01-01) to support victim notification initiatives.

Section 81. Of the total Deputy Attorneys General authorized in Section 1 of this Act to the Office of Attorney General (15-01-01):

(a) 2.0 FTEs Deputy Attorneys General shall be assigned to Family Court for service in Kent and Sussex counties. 2.0 FTEs additional Deputy Attorneys General shall be assigned to Family Court in Kent and Sussex counties for the purpose of prosecuting juvenile misdemeanor cases;

(b) 1.0 ASF FTE Deputy Attorney General shall be assigned to Family Court to be used to increase the existing staff assigned to prosecute child support cases;

(c) 2.0 NSF FTEs Deputy Attorneys General shall be assigned to Family Court to enhance prosecution of domestic violence cases;

(d) 1.0 FTE Deputy Attorney General shall be exclusively dedicated to Labor Law Enforcement in the Department of Labor, Division of Industrial Affairs, Office of Workers' Compensation, Safety and Health (60-07-01). The cost of this employee and all expenses associated with his/her employment shall be included in the annual tally per 19 Del. C. § 2392(c)(1) and the semi-annual administrative assessment per Subsection 2392 (d) of the same Title;

(e) .5 FTE Deputy Attorney General shall be assigned to the Child Placement Review Board;

1 (f) 3.0 FTEs Deputy Attorneys General shall be assigned to provide legal representation as  
2 required to the Department of Correction;

3 (g) 2.0 FTEs Deputy Attorneys General shall be assigned to the Domestic Violence Units serving  
4 Kent and Sussex counties; 2.0 GF Administrative Assistants shall also be assigned to these units;

5 (h) 1.0 FTE Deputy Attorney General shall be devoted exclusively to the handling of Office of  
6 State Personnel and other related personnel issues and is not intended to supplant existing Deputy  
7 Attorney General assignments in this area;

8 (i) The Attorney General shall provide legal assistance/representation as needed for the  
9 implementation of 6 Del. C. c. 46 (Delaware Fair Housing Act) until funds in the "Special Administration  
10 Fund" are sufficiently available;

11 (j) 1.0 ASF FTE Deputy Attorney General shall be assigned to the State Lottery Office to assist  
12 the State Lottery Director in the implementation of 69 Del. Laws, c. 446;

13 (k) 1.0 FTE Deputy Attorney General shall be assigned to provide legal services to the Delaware  
14 Economic Development Office;

15 (l) 1.0 ASF FTE Deputy Attorney General shall be assigned to provide legal representation to  
16 the boards and commissions under the Department of Administrative Services, Regulation and Licensing,  
17 Professional Regulation. A second split-funded (.5 GF and .5 ASF) Deputy Attorney General shall be  
18 assigned to provide additional contract review, general legal services and legal counsel as needed for the  
19 Department of Administrative Services, Division of Professional Regulation;

20 (m) 1.0 split-funded (.5 NSF FTE and .5 FTE) Deputy Attorney General, 1.0 ASF FTE Deputy  
21 Attorney General and 3.0 NSF FTEs Deputy Attorneys General (one for each county) shall be assigned to  
22 the Department of Services for Children, Youth and Their Families, Family Services to work on  
23 termination of parental rights, pursuit of custody, adoption and provide other legal advice and  
24 appearances related to the work done by this division;

25 (n) 1.0 FTE support staff position shall be assigned to augment the NSF positions assigned to  
26 Family Court in Kent and Sussex counties per the Juvenile Accountability Incentive Block Grant;

1 (o) 4.0 split-funded (1.0 and 3.0 NSF) FTEs, 1.0 Deputy Attorney General, 2.0 Investigators and  
2 1.0 Secretary shall be assigned to the Medicaid Fraud Unit to be used for investigating incidents of abuse  
3 and neglect in Delaware nursing homes;

4 (p) 1.0 ASF FTE Deputy Attorney General IV shall be assigned to the Department of Services  
5 for Children, Youth and Their Families, Family Services to work on termination of parental rights, pursuit  
6 of custody, adoption and provide other legal advice and appearances related to the work done by this  
7 division. Such work shall specifically include thoroughly preparing termination and temporary custody  
8 cases, in concert with division investigators and their supervisors, sufficiently before trial so as to ensure  
9 these cases are presented properly and effectively;

10 (q) 1.0 ASF FTE Deputy Attorney General shall be assigned to the Drug Unit to handle forfeiture  
11 cases statewide. Said Deputy Attorney General position shall be funded from assets and/or proceeds from  
12 the disposition of seized property resulting from forfeitures;

13 (r) 1.0 ASF FTE Deputy Attorney General and 2.0 ASF support staff shall be assigned to  
14 handle personal injury litigation involving state-owned vehicles;

15 (s) 1.0 split-funded (0.5 FTE and 0.5 ASF FTE) Deputy Attorney General shall be assigned to  
16 the Department of Agriculture. 50 percent of this position shall be assigned to work on issues related to  
17 nutrient management and shall be funded by General Funds; 50 percent of this position shall be assigned  
18 to work on issues related to the Thoroughbred Racing Commission and Harness Racing Commission, and  
19 shall be funded by Appropriated Special Funds;

20 (t) 1.0 FTE Deputy Attorney General shall be assigned to the Delaware State Police;

21 (u) Section 1 of this Act appropriates two ASF positions (one Deputy Attorney General IV and  
22 one Paralegal) relating to the tobacco settlement in an effort to supplement and enhance the ongoing  
23 aggressive enforcement efforts by the Attorney General's Office of Delaware's tobacco laws pertaining to  
24 youth access and to enforce the Master Settlement Agreement in an effort to prevent the loss of settlement  
25 dollars; and

1 (v) The Attorney General shall submit a semi-annual report to the Budget Director and Controller  
2 General that details the number of Deputy Attorney General FTEs, the source of their funding and the  
3 divisions to which they are assigned. These reports are due on November 30 and May 15.

4 Section 82. Section 1 of this Act makes an appropriation of \$1,646.2 ASF, \$400.0 and 22.0 split-  
5 funded FTEs (66 percent ASF and 34 percent GF) to the Office of the Attorney General to support the  
6 Child Support Enforcement function. The Child Support Enforcement function in the Attorney General's  
7 Office will operate on a reimbursement basis, wherein the State makes the initial expenditures and is  
8 reimbursed from federal funds controlled by the Department of Health and Social Services. The  
9 reimbursement rate for operations will be 66 percent of total direct costs; the reimbursement rate for  
10 indirect costs will be 25 percent of federal dollars spent on direct salary costs.

11 Notwithstanding the provisions of 29 Del. C. § 6404(h)(1)(2)(3), the Attorney General's Office  
12 shall be allowed to retain the federal reimbursement of direct costs in an Appropriated Special Funds  
13 account to pay the Appropriated Special Funds share of operating expenses associated with the Child  
14 Support function.

15 The Attorney General's Office shall also be allowed to retain up to a maximum of \$30.0 of the  
16 departmental portion of indirect cost recoveries for this function to support the agency's overhead and  
17 \$16.3 to be applied to the state's share for four clerical positions. The statewide portion of indirect cost  
18 recoveries will be deposited into the indirect cost account in the Budget Office. The remainder of the  
19 indirect cost recoveries and any unused portion of indirect cost funds in the Attorney General's Office will  
20 be deposited into a separate account and retained to support the General Fund portion of the budget for  
21 this function in subsequent years.

22 Adjustments to Appropriated Special Fund spending authority for the Office of the Attorney  
23 General (15-01-01) may be made upon the concurrence and approval of the Budget Director and the  
24 Controller General.



# STATE

Section 83. Section 1 of this Act appropriates \$25.0 in the line item Historical Marker Maintenance to the Department of State, Delaware Public Archives (20-03-01). Of this amount, \$10.0 shall be used for replacement, \$10.0 used for repair and refurbishing and \$5.0 for contractual assistance.

Section 84. Section 1 of this Act provides an appropriation to the Department of State, Office of the Secretary, Delaware Commission on Veteran's Affairs (20-01-02) for Contractual Services. Of that amount, \$49.9 shall be used to provide mental health services for veterans in Kent and Sussex counties.

Section 85. Section 1 of this Act establishes a special fund appropriation entitled Technology Infrastructure Fund, in the Division of Corporations (20-05-01). All revenues derived as a result of 69 Del. Laws, c. 52, will be deposited into this fund to be used for technological and infrastructure enhancements, ongoing maintenance, operational expenses for Corporations, and electronic commerce. Quarterly reports regarding the status of this fund shall be made by the Department of State to the Budget Director and the Controller General.

Section 86. Section 1 of this Act provides an appropriation to the Department of State, Office of the Secretary, Delaware Heritage Commission (20-01-05). Of that amount, \$15.0 shall be used at the discretion of the Delaware Heritage Commission for scholar awards, challenge grants and publications.

Section 87. Pursuant to 29 Del. C. § 5903(4), the position of Director of the Delaware Heritage Commission (20-01-05) shall be exempt from the Merit System.

Section 88. The Delaware Heritage Commission shall investigate which out of print books and writings on Delaware history should be considered for republication. Further, the Delaware Heritage Commission shall investigate what writings in these categories would be valuable for republication. A report shall be made to the Controller General and Budget Director by December 1, 2003.

Section 89. Section 1 of this Act includes an appropriation to the Department of State, Division of Historical and Cultural Affairs, Delaware State Museums (20-06-04) for a Museum Conservation Fund. Of that amount, up to \$25.0 can be used for the purpose of matching private grants to purchase art for placement in state museums.

1        Section 90. Section 1 of this Act authorizes \$15.0 to the Department of State, Delaware State  
2        Museums (20-06-04) in the line item "Art Object Refurbishing" for the purpose of refurbishing portraits  
3        and art objects in Legislative Hall.

4        Section 91. Notwithstanding the provisions of 29 Del. C. § 6102(a) and 5 Del. C. § 1106, the  
5        Office of the State Banking Commissioner is authorized to retain \$100.0 of the Bank Franchise Tax for  
6        costs associated with the collection and administration of the Bank Franchise Tax.

7        Section 92. Section 1 of this Act makes an appropriation to Libraries (20-08-01) in the amount of  
8        \$2,569.5 for Library Standards. Of that amount, Libraries may reserve up to \$256.9 for planning and  
9        evaluation grants to determine each library's attainment of state and federal library standards. The  
10       remaining funds shall be paid to libraries in two installments equal to 50 percent of the total amount  
11       allocated to that library, one installment upon signature of the contract and the second installment in  
12       January of the fiscal year. Funds granted to any library under the provisions of 29 Del. C. c. 66, if  
13       unspent at the end of the fiscal year shall not revert to the General Fund, but instead shall be held in an  
14       account for the benefit of the library from which the unspent funds came. These funds may be spent in  
15       subsequent years for purposes described in 29 Del. C. c. 66. The use of such carryover funds shall not be  
16       used as part of any subsequent years' formula payment.

# FINANCE

Section 93. The Department of Finance, Office of the Secretary is authorized during the fiscal year to maintain special funds with the State Treasurer for the acquisition of technology and payment of other costs incidental to the implementation and maintenance of computer systems at the Department of Finance. Deposits to the special funds shall be from the collection of delinquent taxes and shall not exceed \$1,845.0. Of this amount, \$600.0 shall be used for the purpose of maintaining Revenue's mainframe computer system and the programs that reside thereon, the provisions of 29 Del. C. subchapter IV or 29 Del. C. c. 63 notwithstanding. Of the said \$600.0, \$130.0 shall be used to contract for system maintenance with the Department of Technology and Information.

Section 94. Revenue (25-06-01) is authorized to establish and maintain a special fund with the State Treasurer for the purpose of contracting and/or employing personnel for the collection of delinquent State taxes and other debts that Revenue has undertaken to collect. The contracts and/or personnel may provide for 1) collection or assistance in collection of delinquent accounts from businesses or persons; and/or 2) audit of business taxables under the direct supervision of Revenue management; and/or 3) audit of physical inventory of alcoholic beverage wholesalers. Deposits to the special fund shall be from the collection of delinquent taxes under such contracts and/or personnel. A detailed report on all expenditures from and collections to this special fund shall be sent annually to the Budget Director and the Controller General. Unencumbered balances on June 30 in excess of \$275.0 shall revert to the General Fund.

Section 95. The Director of Revenue shall have the authority to accept, on whatever terms and conditions he/she may establish, payment by credit card of taxes, fees and other obligations that Revenue has undertaken to collect. The Director is authorized to enter into contracts for the processing of credit card payments and fees associated with such contracts. Up to \$80.0 of the delinquent collections in the Appropriated Special Fund line may be used to pay for fees and expenses associated with the collection of taxes by credit cards.

Section 96. The Director of Revenue shall have the authority to enter into agreements according to which contingency and other fees are provided to finders of property to be escheated to the State or to

1 other persons identifying abandoned property by means of audit or otherwise. When the Director deems  
2 it to be appropriate, he/she may enter into escrow, custodian or similar agreements for the purpose of  
3 protecting the state's interest in property to be escheated or fees payable pursuant to the aforesaid  
4 agreements. The Director may direct that payment for said fees or other costs incident to escheat of  
5 property under the aforesaid agreements, including litigation expenses incident to escheat administration,  
6 be made out of such money held in the escrow, custodian or other account established under this  
7 paragraph. No account shall be used to pay for employees of the Division of Revenue. Section 1 of this  
8 Act establishes an Appropriated Special Fund account, Escheat, from which charges relating to receiving  
9 and processing remittances and reports by holders, and claims by owners of abandoned property, as well  
10 as advertising and travel fees and associated costs may be paid and into which abandoned property  
11 remittances may, at the discretion of the Director, be deposited. Unencumbered balances on June 30, in  
12 excess of \$150.0, shall revert to the General Fund. A semi-annual report of amounts in escrow or in  
13 custodian accounts shall be furnished to the Budget Director and the Controller General.

14 Section 97. (a) In the event that the State Lottery's amount of Contractual Services shall exceed  
15 the amount in Section 1 of this Act due to increased lottery ticket sales, the Appropriated Special Fund  
16 Budget in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and  
17 the Budget Director, provided that the total operating budget for this fiscal year shall not exceed 20  
18 percent of gross sales as limited by 29 Del. C. § 4815(a).

19 (b) In the event the State Lottery's amount of Contractual Services shall exceed the amount in  
20 Section 1 of this Act due to increased video lottery net proceeds, the Appropriated Special Funds Budget  
21 in Section 1 of this Act may be amended by the Secretary of Finance, the Controller General and the  
22 Budget Director, as limited by 29 Del. C. § 4815(b).

23 Section 98. There shall be established a special fund for the purpose of receiving the proceeds of  
24 liquidating stock acquired pursuant to 12 Del. C. ch. 11 or liquidating investments described in this  
25 section. Such proceeds may at his discretion be invested and reinvested by the Secretary of Finance in  
26 issues of the United States Treasury or investments of comparable risk. The Secretary may at his  
27 discretion cause amounts in such special fund to be remitted to the General Fund of the State.

1           Section 99. Pursuant to 29 Del. C. 4815(b)(2), funds from the State Lottery Fund shall be  
2 released to an appropriately established account within the Department of Health and Social Services,  
3 Alcoholism, Drug Abuse and Mental Health (35-06-00) on or before the fifteenth day of each month, the  
4 amount of which shall be based on the results of video lottery operations conducted during the  
5 immediately preceding month.

## ADMINISTRATIVE SERVICES

Section 100. During Fiscal Year 2004, notwithstanding the provisions of 29 Del. C. §5915, the Merit Employee Relations Board shall hear all maintenance review classification appeals before it in chronological order, beginning with the oldest such appeal unless all parties are in agreement with other such arrangements.

Section 101. Section 1 of this Act appropriates contractual services to Office of Disability Affairs (30-01-20). Of this amount, \$20.0 shall be used for Partners in Policymaking Program.

Section 102. Upon receipt of information from the DMA (Delaware Manicurist Alliance), the Board of Barbering and Cosmetology shall publish a newsletter periodically to its members containing pertinent materials relative to nail technology.

Section 103. During the fiscal year, the Department of Administrative Services, Facilities Management (30-05-10), shall retain the rental fees as Appropriated Special Funds for the buildings known as the Kent County Courthouse, the Sussex County Courthouse, Absalom Jones/Belvedere State Service Center and New Castle County Courthouse. The retained portion must be deposited as per state laws and shall be disbursed per Section 1 of this Act.

Section 104. For energy backcharge purposes, the Department of Administrative Services (host department) the current fiscal year Energy Budget assumes that Motor Fuel Tax uses ten percent of the Public Safety Building, for which energy payment is the responsibility of the host department. The Department of Transportation is responsible for paying the Motor Fuel Tax portion of the energy bills upon request for payment by the host department.

Section 105. The Secretary of the Department of Administrative Services shall work in concert with the State Court Administrator in the Administrative Office of the Courts, Office of the State Court Administrator to prioritize projects and ensure completion of necessary renovations and equipment acquisitions within the court system.

Section 106. Notwithstanding the provisions of 29 Del. C. § 5117, state agencies may pay for employee parking in the Government Center Parking Garage as long as such payments are continuances

1 of payments made prior to May 31, 1998. Such payments shall cease when the employee leaves the  
2 positions he or she occupied prior to May 31, 1998.

3 Section 107. Personnel in the Department of Administrative Services, Facilities Management  
4 who respond to weather related emergencies, and are not covered under FLSA, shall be entitled to receive  
5 compensation at their straight time rate of pay for all overtime services performed beyond the normal  
6 work week. The method of compensation is subject to the availability of funds and/or the operational  
7 needs of the Department of Administrative Services, Facilities Management.

8 Section 108. (a) Notwithstanding any state law to the contrary, the Department of Administrative  
9 Services may implement a pilot videoconferencing initiative including the utilization of no more than six  
10 videoconferencing units. State agencies participating in the pilot program may be assessed and shall pay  
11 the charge initiated in Fiscal Year 2003 for the usage of videoconferencing services and equipment. Such  
12 payments are considered allowable charges to all sources of state funding; sources include General Fund,  
13 Appropriated Special Funds, Non-appropriated Special Fund, Federal Funds and Transportation Trust  
14 Fund.

15 (b) The Department of Administrative Services shall provide a report of the findings of the pilot  
16 videoconferencing program to the Governor and General Assembly no later than July 30, 2003. Said  
17 report shall include, but not be limited to, videoconferencing unit utilization and cost benefit realized by  
18 participating agencies.

19 (c) The charge assessed to state agencies for videoconferencing services and equipment shall be  
20 determined by the Secretary of Administrative Services with the annual prior approval of the Budget  
21 Director and Controller General.

22 (d) Upon approval of the Budget Director and Controller General, the videoconferencing pilot  
23 program may be expanded in Fiscal Year 2004.

# HEALTH AND SOCIAL SERVICES

Section 109. Notwithstanding any other provisions of the Delaware Code, the Department of Health and Social Services shall have the authority to fill vacant positions with qualified applicants for the Nursing Assistant, Certified Nursing Assistant, Active Treatment Facilitator, Licensed Practical Nurse and Registered Nurse classifications by agency recruitment efforts unless an eligibility list is required by federal law for that position.

Section 110. The Division of Substance Abuse and Mental Health (35-06-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of services and treatment among the Delaware Psychiatric Center (35-06-30), community hospitals, and community-based residential placements for persons with mental illness. Such reallocation initiatives must be made within the total division's appropriation limit with the approval of the Budget Director and the Controller General. These reallocation initiatives shall not compromise the standard of care of the remaining Delaware Psychiatric Center population.

Section 111. Results of investigations conducted by the Audit and Recovery Management Services concerning any and all public welfare programs administered by the Department of Health and Social Services that indicate possible error or fraud shall be transmitted to the Office of the Attorney General directly by the Secretary of the Department of Health and Social Services. The Office of the Attorney General shall prosecute those cases deemed actionable and return the rest to the Department of Health and Social Services for collection of overpayment. The Secretary of the Department of Health and Social Services shall file an annual report directly with the Budget Director and the Controller General.

Section 112. Notwithstanding any other provisions of the Delaware Code, the merit position Nursing Home Director I BP #4554 shall become exempt at such time as the current incumbent vacates such position.

When this position becomes vacant, the State Personnel Director shall take the appropriate steps to carry out the provisions of this section.



1        Section 113. (a) The amount appropriated by Section 1 of this Act to the Department of Health  
2 and Social Services for Title XIX Federal Programs Medicaid- Non-State shall be expended solely in  
3 accordance with the following conditions and limitations:

4        (i) This appropriation shall be used for the purpose of continuing the program of medical  
5 assistance provided within the state plan under Title XIX of the Social Security Act and the  
6 requirement of Section 121(a) of P.L. 89-97 and all subsequent amendments enacted by the  
7 Congress of the United States and commonly known as Title XIX of the Social Security Act;

8        (ii) The state plan of medical care to be carried out by the Department of Health and Social  
9 Services shall meet the requirement for Federal Financial Participation under the  
10 Aforementioned Title XIX.

11       (b) The amount appropriated by Section 1 of this Act to the Department of Health and Social  
12 Services for Title XIX – Medicaid-State shall be expended solely for the purpose of providing medical  
13 services to patients eligible under the Federal Title XIX Medicaid Program residing in various facilities  
14 of, or under the jurisdiction of, the Department of Health and Social Services;

15       (c) Funds appropriated by Section 1 of this Act for Title XIX Medicaid Non-State or Medicaid  
16 State may be expended by the Department of Health and Social Services for administrative costs involved  
17 in carrying out the purpose of this Section if approved by the Budget Director.

18       (d) The funds hereby appropriated for Title XIX OTSI Medicaid – Non-State or State Institutions  
19 shall be expended only on condition that the program is approved and federal matching funds are  
20 provided by the appropriate federal agency.

21       (e) The Department of Health and Social Services shall file a report to the Budget Director and  
22 Controller General of all services provided by the Medicaid Non-State appropriation. The report shall  
23 clearly identify any services that were changed, added or deleted during the current fiscal year. This  
24 report is due by May 15 each fiscal year.

25       Section 114. Section 1 of this Act includes an appropriation to the Department of Health and  
26 Social Services, Public Health, Director's Office/Support Services (35-05-10) for Contractual Services.

1 Of that amount, \$446.4 shall be used for the purpose of providing school nursing services five days a  
2 week to non-public schools in New Castle County and Kent County.

3 The Secretary of the Department of Health and Social Services will ensure that the contracts with  
4 the various schools in this program are executed no later than August 15 of each year. The Secretary will  
5 also ensure that timely payments are made to all contractors.

6 Section 115. Section 1 of this Act provides a tobacco fund appropriation to the Department of  
7 Health and Social Services, Public Health, Community Health (35-05-20). Of that amount, \$200.0 shall  
8 be used to contract with the Perinatal Association of Delaware for the Resource Mothers Program; \$150.0  
9 shall be used to contract with Cancer Care Connection; \$200.0 shall be used to contract with The  
10 Wellness Community, both to provide support services for people with cancer; \$4,938.1 shall be used for  
11 the implementation of the Cancer Council recommendations; \$100.0 shall be used to contract with the  
12 Delaware Ecumenical Council; and \$47.6 shall be used for a Delaware School Survey contract with the  
13 University of Delaware. These funding amounts shall be made available for Fiscal Year 2004 only.

14 Section 116. Section 1 of this Act provides an appropriation to the Department of Health and  
15 Social Services, Public Health, Community Health (35-05-20), in the line item, Office of Narcotics and  
16 Dangerous Drugs, in the amount of \$40.0. This amount shall be used at the discretion of the Drug  
17 Control Administrator and shall not be utilized for normal operating budget items attributed to the Office  
18 of Narcotics and Dangerous Drugs.

19 Section 117. Section 1 of this Act provides an appropriation to the Department of Health and  
20 Social Services, Public Health, Community Health (35-05-20), for Contractual Services. Of that amount,  
21 \$84.0 shall be available for medicine, equipment and part-time nursing services for a community-based  
22 adult health services clinic serving the Claymont area of New Castle County.

23 Section 118. Section 1 of this Act provides an appropriation to the Department of Health and  
24 Social Services, Public Health, Community Health (35-05-20) for Contractual Services. Of that amount,  
25 \$65.0 shall be used to contract for mammography screening. These services shall be provided by the  
26 mobile mammography van. In addition to the above General Funds, \$19.0 shall be made available from  
27 the Preventive Health and Health Services Block Grant or other federal funds.

1           Section 119. Section 1 of this Act provides an appropriation of \$40.0 to the Department of  
2   Health and Social Services, Public Health, Community Health (35-05-20) to provide vaccinations to  
3   individuals who are members of volunteer ambulance companies or volunteer fire companies acting as  
4   “first responders” in the State of Delaware. Public Health shall purchase vaccine and administer or  
5   contract vaccine at local fire stations or other sites mutually agreed upon by the fire companies and Public  
6   Health. No such vaccinations shall be furnished until after certification by the volunteer fire or  
7   ambulance company on a form provided by Public Health, indicating that the person for whom the  
8   vaccination is desired, is a member in good standing of a volunteer ambulance or volunteer fire company  
9   in the State of Delaware. A record of the names and addresses of all persons immunized shall be  
10   maintained by Public Health. To insure the success of this program, Public Health and representatives of  
11   the Delaware Volunteer Firemen’s Association shall work collaboratively in the best interests of all  
12   parties. Public Health may promulgate reasonable rules and regulations regarding the vaccination of  
13   volunteer firemen and individuals who volunteer for ambulance companies. If resources allow, after the  
14   needs of the volunteer community have been met, similar assistance may be offered to other fire and  
15   ambulance companies such as the Wilmington City fire company. Such funds, as are necessary from this  
16   fund, may also be spent to provide any required post vaccination antibody testing in order to assure  
17   adequate protection has been achieved.

18           Section 120. Section 1 of this Act provides an appropriation for the Department of Health and  
19   Social Services, Public Health, Community Health (35-05-20) to provide Hepatitis B and other necessary  
20   childhood vaccinations for children between infancy and young adulthood who are uninsured, are not  
21   eligible for any Federal program providing the vaccination, and are otherwise medically indigent.

22           Section 121. The State desires to establish a permanent funding program for rodent control  
23   activities at the local level by providing the City of Wilmington-\$15.0 New Castle County \$15.0; Kent  
24   County \$10.0; and Sussex County \$10.0. The Department of Health and Social Services, Public Health,  
25   Community Health (35-05-20) shall dispense these funds to local governments in lump sum payments to  
26   be made no later than September 1, 2004; establish program objectives and spending guidelines; require

1 regular expenditure reporting to the State; and allow unexpended funds to carry over at the local level into  
2 the next fiscal year.

3 Section 122. Public Health, Community Health (35-05-20) will receive Medicaid reimbursement  
4 for services provided to Medicaid eligible students in the School Based Health Centers. The division  
5 shall be allowed to collect and deposit up to \$80.0 of the revenue into an ASF account entitled School  
6 Based Health Centers to support the cost of this initiative.

7 Section 123. Notwithstanding any other provisions of this Act, or the Delaware Code, additional  
8 positions in the former Office of Emergency Medical Services (35-05-30) shall be transferred to its new  
9 location within the Department of Safety and Homeland Security (45-08-01). These transfers shall be  
10 processed after July 1, 2003, but prior to October 30, 2003.

11 Section 124. Notwithstanding any other provisions of this Act, or the Delaware Code, positions  
12 and funding related to the closing of Governor Bacon Health Center (35-05-60) may be transferred to and  
13 from other divisions in the Department of Health and Social Services, including a special appropriation  
14 established within the Division of Management Services (35-01-20) entitled GBHC Transition. These  
15 transfers may be processed after July 1, 2003, but prior to June 30, 2004. It is the intent of the Governor  
16 and the General Assembly that no existing employees will lose their employment status as a result of  
17 closing the Governor Bacon Health Center.

18 Section 125. Section 1 of this Act provides an appropriation to the Department of Health and  
19 Social Services, Substance Abuse and Mental Health, Delaware Psychiatric Center (35-06-30), for  
20 Contractual Services. Of that amount, \$41.2 shall be made available for a Nurse Intern Program to enable  
21 graduate nurses to take graduate courses to increase their skills in specialty areas.

22 It is understood that participants in this program will provide clinical services with compensation  
23 to Delaware Psychiatric Center during the duration of their graduate level education. It is further  
24 understood that these individuals shall remain in the employ of Delaware Psychiatric Center for a  
25 minimum of one year after graduation or reimburse the State for any and all tuition received.

26 Section 126. Delaware Psychiatric Center maintains appropriation account 35-06-30-98-37 to  
27 receive reimbursement for providing a work study program for local nursing schools and for assigning

1 residents to work in non-psychiatric services at area hospitals on a rotating basis, respectively.

2 Notwithstanding the provisions of 29 Del. C. § 6102, the IPU shall be allowed to collect and expend the  
3 proceeds from the aforementioned account.

4 Section 127. Section 1 of this Act provides an appropriation to the Department of Health and  
5 Social Services, Substance Abuse and Mental Health, Substance Abuse (35-06-40) in Contractual  
6 Services. In addition to this General Fund appropriation, the Director of Substance Abuse and Mental  
7 Health, shall ensure that the amount of \$60.0 be expended from available federal funds to contract for  
8 employment, alcohol, and drug counseling and referral services for youth and adults to encourage an  
9 alcohol and drug-free environment in South Wilmington; and that the amount of \$35.0 be expended from  
10 available federal funds to contract for employment, alcohol, and drug counseling and referral services for  
11 youth and adults to encourage an alcohol and drug-free environment in the Claymont community.

12 Section 128. Section 1 of this Act makes appropriations to the Department of Health and Social  
13 Services, Social Services (35-07-01), for various programs that pay for health care including drugs for  
14 many citizens of Delaware. In the Medicaid program, federal regulations mandate that drug companies  
15 must provide rebates in order to participate in the program. Social Services shall establish a drug rebate  
16 process for the non-Medicaid programs administered by the division including but not limited to: the  
17 Delaware Healthy Children program, the Renal Disease program, the Delaware Prescription Assistance  
18 program and the Legal Non-Citizen Health Care program. The division shall establish a rebate process  
19 for these programs that it determines is in the best interests of the citizens who are being served. The  
20 rebate amount shall be calculated using the full methodology prescribed by the federal government for the  
21 Medicaid program. Notwithstanding any provisions of the Delaware Code to the contrary, the division  
22 shall deposit any drug rebate funds received as well as third party insurance collections (minus retention  
23 amounts) and other collections into the appropriate Social Services program account and used to meet  
24 program costs.

25 Section 1 of this Act also makes appropriations to other agencies of state government for health  
26 care programs that purchase drugs. The Department of Health and Social Services shall work with other  
27 state agencies to develop a drug rebate process for these programs.

1           The rebate amounts may be calculated using the full methodology prescribed by the Federal  
2 government for the Medicaid program. Rebates received for non-Division of Social Service programs  
3 shall be deposited into General Funds.

4           Section 129. (a) Section 1 of this Act appropriates \$2,168.8 in Social Services (35-07-00) under  
5 Early Intervention for the Part C Birth to Three Program. The Interagency Resource Management  
6 Committee (IRMC) shall consult and advise the lead agency in setting program eligibility standards and  
7 shall have the authority to allocate such funds, and may advise on the use of other funds specifically  
8 designated for this project. The IRMC shall also have the authority to maintain up to 37.5 FTEs and  
9 establish or contract for an additional 2.0 FTEs needed to provide appropriate services for Children Birth to  
10 Three, selected through the early intervention process and to ensure coordination with the Program for  
11 Children with Disabilities. In addition, the IRMC may recommend the transfer of General Fund positions  
12 and/or General Fund dollars from the Department of Health and Social Services as necessary to operate  
13 this program. The lead agency shall report to the Budget Director and the Controller General on additional  
14 revenues that will be generated from Medicaid matching funds for reimbursable appropriate services that  
15 will be deposited into the General Fund in Fiscal Year 2004.

16           (b) The Secretary of the Department of Health and Social Services shall ensure that under the  
17 Part C Birth to Three Program, no child will be denied services because of his/her parent's inability to pay.  
18 The following will be adhered to by the Department of Health and Social Services in developing Part  
19 C/vendor agreements: 1) vendors will agree to bill Third Party Insurance including Medicaid and clients;  
20 2) client fees will be based on the DHSS scale developed by the Ability to Pay Committee and found in  
21 the department's policy Memorandum 37; and 3) those agencies who have sliding payment scales  
22 currently will be permitted to continue using them as long as those scales do not require a greater financial  
23 burden than that of the Department of Health and Social Services scale.

24           Section 130. Section 1 of this Act provides an appropriation to the Department of Health and  
25 Social Services, Social Services (35-07-01) for Renal Disease.

26           Public Health (35-05-00) will provide the following support for the Chronic Renal Disease  
27 Program: 1) provide staff support for the Chronic Renal Disease Advisory Committee, including the

1 maintenance of the committee membership and appointment system; 2) assist in developing programs and  
2 other public health initiatives designed to prevent chronic renal disease; and, 3) carry out educational  
3 programs for health professionals and the public to increase general knowledge of the prevention and  
4 treatment of chronic renal disease.

5 Social Services will provide the following support for the Chronic Renal Disease Program:

6 1) develop standards for determining eligibility for services provided by the program, with the advice of  
7 the Advisory Committee; 2) extend financial assistance to persons suffering from chronic renal disease  
8 who meet eligibility criteria; and, 3) periodically provide information to the Advisory Committee on  
9 services provided and expenditures for these services. Those clients not Medicaid eligible will receive the  
10 same level of services as in previous years.

11 Section 131. Section 1 of this Act includes 2.0 NSF FTEs in the Department of Health and Social  
12 Services, Social Services (35-07-01). These Medicaid Eligibility Specialist positions will be funded  
13 through voluntary contributions from medical facilities and from federal matching funds. These positions  
14 will expedite the Medicaid Eligibility application process for Medicaid clients, and will ensure that these  
15 clients apply for services through Medicaid, if appropriate, thereby maximizing federal revenues for the  
16 State of Delaware. Other medical facilities throughout the state may participate in this program.

17 Section 132. Section 1 of this Act appropriates \$16,400.0 ASF in Social Services (35-07-00) for  
18 Medicaid – Non-State. Of that amount, \$400.0 is revenue from Medicaid reimbursements for services  
19 provided to Medicaid eligible students in the School-Based Health Centers. This \$400.0 shall be used for  
20 expenses associated with the normal operations of Medicaid – Non-State program.

21 Section 133. Section 1 of this Act provides an appropriation to the Department of Health and  
22 Social Services, Social Services (35-07-00) for Contractual Services. Of that amount, \$750.0 is for DCIS  
23 II system maintenance. Social Services shall have the authority to contract for positions needed to  
24 provide system maintenance. The division shall also have the authority, with approval from the Budget  
25 Director and Controller General, to transfer a portion of these funds to Personnel Costs and establish up to  
26 2.1 General Fund positions and 1.8 NSF positions in order to support DCIS II system maintenance.

1       Section 134. The Department of Health and Social Services is authorized to contract with a  
2 cooperative Multi-State purchasing contract alliance for the procurement of pharmaceutical products,  
3 services and allied supplies. The provisions of 29 Del. C. c. 69 shall not apply to such contract. Prior to  
4 entering into any such contracts the department will obtain the approval of the Secretary of the  
5 Department of Administrative Services.

6       Section 135. Section 1 of this Act makes ASF appropriations to the Department of Health and  
7 Social Services, Social Services (35-07-00) for the Prescription Assistance Program and other programs  
8 funded with Tobacco Settlement funds. These funds may be used for both the client services and  
9 administrative costs of the programs.

10       Section 136. Section 1 of this Act appropriates \$2,050.6 in Personnel Costs and 40.6 FTEs to  
11 Visually Impaired, (35-08-00). This section authorizes 1.0 FTE in addition to the 8.0 FTEs itinerant  
12 teachers available to meet caseload requirements for the Braille Literacy Act. This additional FTE may  
13 be filled if the September 2003 educational unit count indicates the number of teachers required to meet  
14 caseloads for visually impaired students is greater than the Fiscal Year 2004 complement of teachers.

15       Section 137. Section 1 of this Act provides an appropriation to the Department of Health and  
16 Social Services, Visually Impaired (35-08-01), for Contractual Services. Of that amount, \$18.9 shall be  
17 used to compensate correctional inmates for the purpose of producing Braille materials for visually  
18 impaired school children.

19       Section 138. Section 1 of this Act provides an appropriation of \$1,617.2 ASF in the Department  
20 of Health and Social Services, Child Support Enforcement (35-10-00), for the operation of the division.  
21 Revenue from child support collections shall fund this account and the related 27.2 ASF FTEs. The  
22 department shall continue its efforts to maintain collections related to child support programs, and all  
23 revenue in excess of the division's ASF authority shall be deposited as designated by 29 Del. C. § 6102.

24       Section 139. Section 1 of this Act provides an appropriation to the Department of Health and  
25 Social Services, Developmental Disabilities Services, Stockley Center (35-11-20) for Contractual  
26 Services. Of that amount, up to \$10.0 shall be available for services provided by Camp Barnes.



1           Section 140. Section 1 of this Act appropriates funding to the Developmental Disabilities  
2 Services, Community Services (35-11-30) for the Purchase of Community Services. Of this amount,  
3 \$57.0 shall be used for the Mary Campbell Center.

4           Section 141. Developmental Disabilities Services, Community Services (35-11-30) receives  
5 Medicaid reimbursement for the provision of day rehabilitation services provided in state operated day  
6 centers. Notwithstanding the provisions of 29 Del. C. § 6102, the division shall be allowed to collect and  
7 deposit the Medicaid reimbursement in an Appropriated Special Fund account entitled "Day  
8 Rehabilitation Services Reimbursement." Receipts in the account may be used to fund community  
9 residential and day program contracts currently funded out of the Purchase of Care and Purchase of  
10 Community Services lines.

11           Section 142. (a) Developmental Disabilities Services (35-11-00) is encouraged, where  
12 appropriate, to reallocate resources so as to maximize community-based residential placements for  
13 persons with mental retardation. Such reallocation initiatives must be made within the total Division's  
14 appropriation limit with the approval of the Budget Director and the Controller General. These  
15 reallocation initiatives shall not compromise the standard of care of the remaining Stockley Center  
16 population.

17           (b) Section 1 of this Act provides an appropriation to Developmental Disabilities Services,  
18 Community Services (35-11-20) for the Stockley Transition Plan. This reallocation is the result of the  
19 authority found in subsection (a) to reallocate resources to maximize community-based residential  
20 placements and shall be monitored to assure the most appropriate levels of care are provided both in the  
21 community and at Stockley Center.

22           (c) Section 1 of this Act also provides an appropriation to Social Services (35-07-00), for the SSI  
23 Supplement and Medicaid – Non-State. Of those amounts, \$30.3 and \$559.5, respectively, are the result  
24 of a reallocation from Developmental Disabilities Services, Community Services (35-11-20) as part of the  
25 Stockley Transition Plan and shall be used exclusively for the community placements of Developmental  
26 Disabilities Services clients. This reallocation is also the result of the authority found in subsection (a) to

1 reallocate resources to maximize community-based residential placements and was needed in order to  
2 maximize federal participation in such placements.

3 Section 143. Section 1 of this Act provides an appropriation of \$1,108.0 ASF to the Division of  
4 Developmental Disabilities Services, Community Services (35-11-30) for the Purchase of Care. The  
5 division shall be allowed to collect and deposit funds into this account as a result of revenue from  
6 implementation of a sliding fee scale, Medicaid transportation reimbursements, patient payments and  
7 tenant fees.

8 Section 144. State Service Centers, Family Support (35-12-10) maintains appropriation accounts  
9 35-12-10-80-00 and 35-12-10-80-01 for the purposes of lending car seats to families who cannot afford to  
10 buy them and to publish a Human Services Directory, respectively.

11 Section 145. Section 1 of this Act for Department of Health and Social Services, State Service  
12 Centers, Family Support (35-12-10) includes 3.0 FTE (#59625, #3094, #16224) and \$120.2 Personnel  
13 Costs which support the Delaware Helpline. Upon vacancy, these positions shall be deleted and the  
14 corresponding funding shall be transferred to Contractual Services for the Delaware Helpline.

15 Section 146. Section 1 of this Act includes funding for Contractual Services for Department of  
16 Health and Social Services, State Service Centers, Family Support (35-12-10). Of this amount, \$10.0  
17 shall be used for the Delaware Helpline. Available funds designated for the Delaware Helpline may be  
18 distributed annually in a lump sum at the beginning of the contract year.

19 Section 147. The position of Director, Community and Volunteer Services, shall remain exempt  
20 from classified service until such time as the position becomes vacant.

21 Section 148. Notwithstanding any other provisions of the Delaware Code, State employee  
22 recognition funds may be used per existing guidelines to include the recognition of volunteers and other  
23 non-state employees at the discretion of the Secretary of the Department of Health and Social Services.

24 Section 149. Services for Aging and Adults with Physical Disabilities (35-14-00) will receive  
25 Medicaid reimbursement for the administration of community based services for the Aging and Adults  
26 with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102, the Division  
27 shall be allowed to collect and deposit the Medicaid reimbursement in an Appropriated Special Fund

1 account entitled "Community Based Services Reimbursement." Receipts in the account may be used to  
2 maintain existing services and provide additional services for adults with physical disabilities. Such  
3 services are not to exceed the estimated annualized revenue, and are subject to initial and on-going review  
4 by the Budget Director and the Controller General.

# CHILDREN, YOUTH AND THEIR FAMILIES

Section 150. To maintain the accuracy of information regarding Delaware's juvenile justice system, specifically its institutions, Levels III, IV and V residential alternative programs and non-secure detention:

All juvenile related Statistical Analysis Center (SAC) (10-02-08) positions shall be located in Youth Rehabilitation Services (YRS) (37-05-00) with access to all appropriate computer systems. After July 1, 2003, the Budget Director and the Controller General shall transfer \$51.7 in Personnel Costs; \$1.6 in Travel; \$3.0 in Contractual Services; \$1.3 in Supplies and Materials; and \$4.0 in Capital Outlay from the Office of the Secretary (37-01-10) to the Statistical Analysis Center (10-02-08).

Section 151. During the fiscal year, the Department of Services for Children, Youth and Their Families may develop proposals to enhance or develop services provided in the State of Delaware. These proposals shall include cost estimates that will demonstrate the cost effectiveness of the new or enhanced services. In the event that a new service would require additional state employees, the department may request new positions that will be funded by a structural change from existing appropriations within the department. Any new positions and funding changes must be approved by the Budget Director and the Controller General.

Section 152. Section 1 of this Act provides an appropriation of \$588.5 and \$299.3 ASF to the Department of Services for Children, Youth and their Families, Child Mental Health Services, Managed Care Organization (37-04-10). These funds shall be used to implement a Drug Court Program with Family Court. In addition, funds from the Juvenile Accountability Incentive Block Grant (JAIBG) and recovered Medicaid funds will be directed towards the Drug Court Program. Said funds are intended to serve 140 youth during this fiscal year, with a maximum of 70 youth at any one time.

Section 153. Management Services (37-01-00) shall have 1.0 FTE exempt position in addition to those authorized by 29 Del. C. § 5903. When position BP #55138 becomes vacant, it shall be classified by the Director of Personnel in accordance with the Merit System, 29 Del. C. c. 59.

Section 154. Funds which are appropriated for foster care of children in Section 1 of this Act in the Department of Services for Children, Youth and Their Families, Family Services (37-06-00), are

1 made available with the goal of limiting the number of children who remain in foster care for more than  
2 two years. For the year beginning October 1, 2003, the goal will be 220 children. This goal statement is  
3 intended to satisfy the requirements of the Federal Adoption Assistance and Child Welfare Act (P.L. 96-  
4 272).

5 Section 155. Family Services is hereby directed to formally notify, in advance, the Foster Care  
6 Review Board of any meeting, hearing or other event of which the Board desires notification. Said  
7 notification shall be directed to the Executive Director of the Board.

8 Section 156. As a means of monitoring and improving the excessive expenditure of  
9 casual/seasonal and overtime in Youth Rehabilitative Services, Secure Care (37-05-50), the Secretary of  
10 the Department of Services for Children, Youth and Their Families shall file a quarterly report with the  
11 Budget Director and the Controller General on casual/seasonal and overtime expenditures. The report  
12 shall include, but not be limited to, sick leave usage, vacancy rates, training and transportation costs at the  
13 Ferris School, New Castle County Detention Center and Stevenson House. The report should reflect all  
14 actions (including disciplinary) being taken to expeditiously correct the noted problem areas.

15 Section 157. The Department of Services for Children, Youth and Their Families shall report on  
16 a quarterly basis to the Controller General and Budget Director the status of the Stevenson House Facility  
17 in Milford. This report shall include, but not be limited to, staffing vacancies, total budgetary  
18 expenditures vs. appropriations, overtime, casual/seasonal expenditures, population statistics, facility  
19 condition and capacities, and incident reports.

20 Section 158. Section 1 of this Act provides an Appropriated Special Fund authorization of  
21 \$341.7 to the Department of Services for Children, Youth and their Families for the purpose of supporting  
22 the Young Criminal Offender Program located at the Department of Correction, Prisons, Multi-Purpose  
23 Criminal Justice Facility (38-04-06).

24 Section 159. (a) In addition to the positions authorized in Section 1 of this Act for Family  
25 Services, Intake/Investigation (37-06-30) and Intervention/Treatment (37-06-40), the Budget Director  
26 may authorize additional training positions for the purpose of training investigative and treatment  
27 workers.

1 (b) An additional 2.0 FTEs were authorized in Fiscal Year 2000 in Family Services, Office of the  
2 Director (37-06-10) for the purposes of training workers hired in accordance with (c) of this Section. As  
3 the need for the over-hire provisions and the associated training authority is reduced, the Budget Director  
4 and the Controller General may eliminate 2.0 positions through attrition.

5 (c) For the purposes of retaining and attracting experienced investigation and treatment workers  
6 in Family Services, the division may competitively recruit for Family Crisis Therapists in their  
7 investigation and treatment units. Current Family Services employees who successfully apply for these  
8 positions shall have their position reclassified to Family Crisis Therapist. Such reclassifications or  
9 reclassifications of vacant positions to Family Crisis Therapist shall be effective upon the approval of the  
10 State Personnel Director, Budget Director and the Controller General. Family Services is authorized to  
11 transfer positions between budget units in order to adjust its complement to ensure the correct number of  
12 FTEs are in each functional unit of the division. Family Services shall submit a quarterly report to the  
13 Budget Director and the Controller General detailing any adjustments to the complement, the number of  
14 Family Crisis Therapists hired and retention statistics.

15 Section 160. Section 1 of this Act provides an appropriation to the Department of Services for  
16 Children, Youth and Their Families, Family Services, Office of the Director (37-06-10) of \$894.4 for  
17 Pass Throughs. It includes:

18	Child Advocacy Center	\$587.7
19	People's Place, Milford	\$ 67.0
20	CHILD, Inc.	\$193.3
21	Watchful Shepherd	\$ 46.4

22 The recipient of said funds shall provide a quarterly report to the Budget Director, Controller  
23 General, and the Department of Services for Children, Youth and Their Families. This report shall  
24 include, but not be limited to, the following: the number of clients served and/or treated, and a summary  
25 of expenditures of said funds.

1           Section 161. If the quarterly average daily population at the New Castle County Detention Center  
2   is below 114, the Budget Director and the Controller General may reduce the number of casual seasonal  
3   or full time positions through attrition.

# CORRECTION

Section 162. (a) Section 1 of this Act includes funding for relief positions in the Department of Correction, Administration, Human Resources/Employee Development Center (38-01-02). These positions shall be used primarily for training relief. The Department of Correction shall provide a quarterly report to the Budget Director and the Controller General detailing the non-training relief assignments of the staff training relief officers.

(b) In addition to the positions authorized in Section 1 of this Act for the Department of Correction, additional positions are authorized in Human Resources/Employee Development Center for the purpose of training classes. During the training sessions, up to 100 positions will be made available to accommodate the class being trained. Funding is authorized to seed the first-time use of 30 of these 100 positions. In order to utilize these positions after the first-time use, and to use the remaining 70 positions, the department will use salary savings realized throughout the year.

(c) In addition to the positions authorized in Section 1 of this Act for the Department of Correction, additional positions are authorized in Human Resources/Employee Development Center for the purpose of Probation and Parole Officer Basic Training classes. During the training sessions, up to 25 FTEs will be made available to accommodate the class being trained. No funding will be authorized for these 25 FTEs. In order to utilize these positions, the department will use salary savings realized throughout the year.

Section 163. Section 1 of this Act makes an appropriation to the Department of Correction, Medical/Treatment Services (38-01-30). Of the total appropriation, \$25.0 shall be used for the purpose of inmate hospice care.

Section 164. Notwithstanding any provision in Title 29, Chapter 69, Delaware Code or any other law to the contrary, the Department of Correction may approve a subcontractor for the purchase and delivery of pharmaceuticals pursuant to the Contract #2828 for correctional health services.

Section 165. The Department of Correction, Administration, Facilities Maintenance (38-01-40), receives funding for maintenance and restoration projects in the Budget Act. The department must submit a bi-annual report to the Budget Director and the Controller General, detailing the expenditure of such



1 funds and the respective projects. The department shall submit a preliminary plan for maintenance  
2 projects for the following fiscal year by October 31, to the Budget Director and the Controller General.

3 Section 166. Section 1 of this Act provides an appropriation for the Prison Arts Program funded  
4 in the Department of Correction, Prisons, Bureau Chief - Prisons (38-04-01). Included in this  
5 appropriation is 1.0 FTE Administrative Assistant I and Personnel Costs, \$4.4 for Supplies and Materials,  
6 \$8.4 for casual/seasonal, \$5.7 for Contractual Services and \$0.8 for Travel.

7 Section 167. Section 1 of this Act provides an appropriation of \$1,015.5 in the Department of  
8 Correction, Bureau of Prisons, Bureau Chief – Prisons (38-04-01) for population increases. It is the intent  
9 that the appropriation be used to provide funding to any institution within the Bureau of Prisons that  
10 experiences an increase in its incarcerated population throughout the fiscal year. Upon the approval of  
11 the Budget Director and Controller General, said funds may be transferred to the appropriate institutions.

12 Section 168. Section 1 of this Act provides an appropriation for Personnel Costs to the  
13 Department of Correction, Prisons, Delaware Correctional Center (38-04-03). Included in this  
14 appropriation is 1.0 FTE and Personnel Costs to allow the department to oversee a program to  
15 manufacture reading materials in Braille for the visually impaired. Also included in this appropriation is  
16 \$15.0 for legal services as required by the Warden of Delaware Correctional Center.

17 Section 169. Section 1 of this Act appropriates funds to Department of Correction, Prisons,  
18 Delores J. Baylor Correctional Institution (38-04-05) in contractual services for a contract to provide a  
19 program for female offenders at Delores J. Baylor Correctional Institution to address anger and behavior  
20 issues from a feminine psychological perspective. The Warden of the facility will submit an annual  
21 report to the Joint Finance Committee, Budget Director, Controller General and Commissioner of  
22 Correction by June 1 of each year, which will include but not be limited to the mission of the  
23 organization, the statement of the problem, a synopsis of the program, the number of participants,  
24 statistics relating to recidivism rates of those participating in the program and an annual budget of the  
25 organization.

26 Section 170. (a) Section 1 of this Act makes an appropriation of \$3,909.4 to the Department of  
27 Correction, Administration, Drug and Alcohol Treatment Services (38-01-31) for Drug and Alcohol

1 Treatment Services; and \$132.0 to the Department of Correction, Community Corrections, Bureau Chief -  
2 Community Corrections (38-06-01); and \$55.9 to the Department of Correction, Community Corrections,  
3 Probation and Parole (38-06-02). Funding in Department of Correction, Community Corrections,  
4 Probation and Parole (38-06-02) will be augmented by \$250.0 ASF from the Substance Abuse  
5 Rehabilitation, Treatment, Education and Prevention Fund. All funds described in this section are  
6 intended to support drug and alcohol treatment programs provided by the department to individuals in its  
7 custody or under its supervision. The administration of these contracts shall be the responsibility of the  
8 Commissioner of Correction or his designee.

9 (b) On or before August 1, the department is to submit a plan on how these funds will be spent  
10 during the fiscal year. This plan shall be submitted for approval to the Budget Director and the Controller  
11 General.

12 (c) The Commissioner of Correction and the Secretary of Health and Social Services, or their  
13 designees, shall jointly participate in developing the appropriate requests for proposals (RFPs) for  
14 contract services to provide drug and alcohol treatment. All selected contract providers shall report on a  
15 regular basis to the Department of Correction on all follow-up regarding referrals and services provided to  
16 the offender population.

17 Section 171. Section 1 of this Act provides an appropriation to Community Corrections,  
18 Probation and Parole (38-06-02). The department must submit a semi-annual report to the Budget  
19 Director and the Controller General that details the expenditure of these funds by SENTAC level (levels I,  
20 II and III) and the average personnel complement for each level. These reports are due on December 31  
21 and June 30.

22 Section 172. Notwithstanding any other provisions of the Delaware Code, \$94.0 ASF from the  
23 Victim Compensation Fund shall be transferred to the Contractual Services appropriation in the  
24 Department of Correction, Community Corrections, Probation and Parole (38-06-02) to support a  
25 community restorative justice program in New Castle County.

26 Section 173. (a) The Department of Correction shall have the authority, upon the concurrence  
27 and approval of the Budget Director and Controller General, to establish up to 6.0 ASF FTEs. The

positions shall be Correctional Officers who will supervise inmate work crews assigned to the completion of projects requested by the Delaware Department of Transportation. Upon approval, 2.0 ASF FTEs shall be assigned to the Department of Correction Prisons, Webb Correction Facility (38-04-02), 2.0 ASF FTEs in Department of Correction, Community Corrections, Plummer Work Release Center (38-06-06) and 2.0 ASF FTEs in Department of Correction, Community Corrections, Central Violation of Probation Center (38-06-10). The source of funding shall be the Department of Transportation, Division of Operations and Maintenance, Maintenance Districts (55-04-70). Adjustments to Appropriated Special Fund spending authority for this program can be made upon the concurrence and approval of the Budget Director and the Controller General.

(b) Of the total positions authorized in Section 1 of this Act for the Department of Correction, the following shall be used to continue the existing highway beautification projects: Kent County Work Release Center (38-06-08) – at least 3.0 positions, Central Violation of Probation Center (38-06-10) – at least 4.0 positions, and Sussex Correctional Institution (38-04-04) – at least 4.0 positions.

(c) Section 1 of this Act also makes an appropriation for Contractual Services to Department of Correction, Community Corrections, Kent County Work Release Center (38-06-08). Of this amount, \$5.0 shall be used for “tipping” fees.

Section 174. The Department of Correction, Administration, Office of the Commissioner (38-01-01) shall maintain an overtime expenditure report and shall provide such report quarterly to the Budget Director and Controller General. The report shall include the number of overtime hours worked and the amount of overtime salary expended by each agency within the Department, and shall include a breakdown of the reason for overtime.

Section 175. Prison education services shall be provided by utilizing existing teachers that are in the Department of Correction as well as authorized teaching positions in the Department of Education. The management of all educational positions shall be provided by the Department of Education. Department of Correction teachers shall have the opportunity each year to notify both agencies of their intent to transfer to the Department of Education. Such notification shall be made by April 15 of each

1 year to become effective July 1 of that calendar year. Any position transfer made pursuant to this section  
2 shall be permanent.

3 If a remaining Department of Correction teacher applies for and is accepted into an authorized  
4 position in the Department of Education, the position and associated funding shall be transferred to the  
5 Department of Education for the operation of prison education services. If a remaining Department of  
6 Correction teacher position becomes otherwise vacant, the position and associated funding shall be  
7 transferred to the Department of Education for the operation of prison education services.

8 Section 176. The Department of Correction, Community Corrections, House Arrest (38-06-04)  
9 shall provide 24 hour, 7 day a week supervision of community correction's offenders. The department  
10 shall determine the number of employees needed on duty throughout each 24-hour period and arrange  
11 staff coverage accordingly. At no time shall the ratio of Probation Officers I's to other staff exceed 50  
12 percent during night time and weekend hours.

13 Section 177. The Merit Rules notwithstanding, Department of Correction employees designated  
14 as Correctional Emergency Response Team (CERT) members shall be eligible for standby pay regardless  
15 of their classification.

# **NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

Section 178. Section 1 of this Act authorizes Fish and Wildlife, Wildlife/Fisheries (40-05-02) to spend up to \$4,091.0 in Appropriated Special Funds. Within this amount, the division is authorized to undertake capital expenditures to maintain/develop fish and wildlife recreational areas. These expenditures should be in accordance with the Capital Development Plan for the division, submitted as an attachment to the department's Annual Fiscal Year Capital Improvement Program. Any deviation from the listed projects must be approved by the Budget Director and the Controller General.

Section 179. The Department of Natural Resources and Environmental Control will provide the Joint Finance Committee with information on the actual cost of all Title V program activities, including permitting, enforcement and monitoring. Reports on each six months of activity will be submitted to the Joint Finance Committee by January 31 and July 31, respectively.

Section 180. Section 1 of this Act appropriates \$102.3 to Water Resources, Watershed Assessment (40-08-07) for Inland Bays Research. The appropriation shall be used to support citizen-monitoring activities including, but not limited to, the Stream Watch Program in the amount of \$66.5 and the Inland Bays Citizen Monitoring Program in the amount of \$35.8. In addition, \$270.0 of the Watershed Assessment (40-08-07) Contractual Services funding shall be used by the Center for the Inland Bays for programs promoting strategies to improve the quality of water in the Inland Bays.

Section 1 of this Act makes an appropriation for Contractual Services to the Department of Natural Resources and Environmental Control, Water Resources, (40-08-01). Of that amount \$50.0 shall be used to support the Partnership for the Delaware Estuary.

Section 181. Section 1 of this Act appropriates \$836.9 in General Funds and any revenues collected in Appropriated Special Funds for a dog control contract in the Department of Natural Resources and Environmental Control, Division of Fish and Wildlife (40-05-05). The recipient of this contract will be responsible for the enforcement of Title 7, Chapter 17 (Dogs), of the Delaware Code. The contract will require that at a minimum there will be 6 dog control officers in New Castle County, 3 in Kent County and 3 in Sussex County during Fiscal Year 2004.

1       Section 182. Section 1 of this Act makes an appropriation for contractual services to the  
2 Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, (40-05-02).  
3 Of that total appropriation \$25.0 is to be dedicated to beaver control.

4       Section 183. Section 1 of this Act makes an appropriation to the Department of Natural  
5 Resources and Environmental Control. Of that appropriation the Department of Natural Resources and  
6 Environmental Control is directed to pay \$40.8 to the New Castle Conservation District for the rental of  
7 office space, storage facility, and garage for the Mosquito Control Section.

8       Section 184. Section 1 of this Act appropriates funds to support a position within the Department  
9 of Natural Resources and Environmental Control, Air and Waste Management, Management and Support  
10 - Air and Waste (40-09-01). This position is an Environmental Engineer II/IV and assigned to the  
11 Delaware City Petro Chemical Complex. This position will respond to and provide follow-up on  
12 complaints from the community on air quality throughout New Castle County. The position incumbent  
13 shall submit an annual report to the Joint Finance Committee on February 1 of each year which  
14 summarizes the complaints and activities of the previous calendar year.

15       Section 185. Section 1 of this Act makes an appropriation in Personnel Costs to the Department  
16 of Natural Resources and Environmental Control, Division of Air Waste Management (40-09-01). Of  
17 that appropriation \$70.0 is to be used to fund an Environmental Engineer II/IV position to be assigned to  
18 Claymont/Edgemoor Industrial Complex. This position in conjunction with the engineer assigned to the  
19 Delaware City Petro Chemical Complex will respond to and provide follow-up on complaints from the  
20 community on the air quality throughout New Castle County. The incumbent shall submit an annual  
21 report to the Joint Finance Committee on February 1 of each year, which summarizes the complaints and  
22 activities of the previous calendar year.

23       Section 186. Section 1 of this Act appropriates funding for an Environmental Engineer assigned  
24 to the Claymont/Edgemoor Industrial Complex and to be located at the Robinson House in Claymont.  
25 The Department of State, Division of Historical and Cultural Affairs will, in consultation with the  
26 Department of Natural Resources and Environmental Control, develop a plan for the renovation of office

space within the Robinson House. The Department is also authorized to expend monies from the Penalty Fund to pay for the renovation, subject to approval by the Budget Director and the Controller General.

Section 187. Fish and Wildlife (40-05-00) is authorized to establish, maintain and administer:

(a) An interest-bearing, Non-appropriated Special Fund known as the Delaware Marsh Management and Maintenance Trust, as allowed by conditions of the DNREC/PSE&G Settlement Agreement of March 23, 1995, and further allowed by the subsequent Settlement Agreement of June 24, 2001. The interest income from this Trust Account will be dedicated to implement the Settlement Agreement's provisions to enhance or restore tidal wetlands habitats for coastal fish and wildlife resources along Delaware Bay and River in Delaware, and to maintain such tidal wetlands habitat enhancements or restoration in perpetuity, as partial compensation for natural resource losses caused by past, ongoing and future operation of the PSE&G Salem Nuclear Generating Station.

(b) A Non-appropriated Special Fund for administration of the dedicated interest earned on the fund established above, with said dedicated interest to be expended to help support or implement compensatory tidal wetlands habitat enhancements or restorations and associated maintenance activities referred to in (a).

Section 188. Section 1 of this Act appropriates \$4,063.2 to the Department of Natural Resources, Parks and Recreation, Operations and Maintenance (40-06-02). Of this amount, \$115.0 shall be used to fund casual/seasonal positions for Killens Pond Waterpark and \$8.5 shall be used for program services and contractual services at the Bellevue State Park system.

Section 189. The budget complement of the Department of Natural Resources and Environmental Control, Water Resources, Environmental Services (40-08-02) includes 2.0 FTEs Analytic Chemist, position numbers BP #58598 and BP #8339. When one of these positions becomes vacant, it shall be converted to ASF. The remaining position shall not be converted.

Section 190. Section 1 of the Act appropriates \$3,199.4 to the Department of Natural Resources and Environmental Control, Water Resources, Management and Support – Water Resources (40-08-01). Of that amount, \$1.0 shall be set aside for the Environmental Science Scholarship program.

1           Section 191. Section 1 of this Act appropriates \$495.3 to the Department of Natural Resources  
2 and Environmental Control, Parks and Recreation, Cultural and Recreational Services (40-06-03). Of that  
3 appropriation \$10.1 is to be spent on promotion and programs for Trap Pond State Park as follows: \$5.0  
4 for Contractual Services, \$5.0 for Supplies and Materials and \$.1 for Travel.

5           Section 192. Section 1 of this Act appropriates \$23.9 to the Department of Natural Resources and  
6 Environmental Control to annualize the competency-based pay project. Notwithstanding Chapters 5.0 and  
7 6.0 of the Merit Rules, this pay plan is intended for the enforcement classes within Fish and Wildlife,  
8 Parks and Recreation, and Air and Waste Management, and shall be based upon the Competency-Based  
9 Pay Plan report provided to the Controller General's Office on June 8, 1998.

10           The competency-based pay plan shall provide a plan for employees to follow in order to achieve  
11 promotional increases based on objective, measurable, pre-determined standards for all enforcement  
12 employees. These standards include, but are not limited to, training and education, certification, time and  
13 experience, public relations, performance review and operational readiness.

14           The promotional increases shall be based on a competency based matrix. The matrix shall provide  
15 for promotional standards both within and between pay grades. There shall be three levels that an  
16 employee must achieve within one paygrade before in order to be eligible for promotion to a higher  
17 paygrade. These three levels are skill building, full performance, and expert. Decisions related to  
18 promotion to a higher paygrade shall be determined be an Enforcement Oral Board made up of 2  
19 representatives from the Department of Natural Resources and Environmental Control and 3  
20 representatives from the State Personnel Office.

21           Section 193. Section 1 of this Act appropriates \$454.5 to Soil and Water Conservation, District  
22 Operations (40-07-04) for Contractual Services. Of that amount, \$130.0 shall be used for additional field  
23 staff personnel for the preparation of nutrient management plans.

24           Section 194. Section 1 of this Act appropriates funds to the Hazardous Substance Cleanup Act  
25 (HSCA) Cleanup Fund in Air and Waste Management, Waste Management (40-09-03). A maximum of  
26 \$500.0 ASF per fiscal year will be set aside from the HSCA Cleanup Fund to address orphaned and  
27 abandoned underground storage tank (UST) systems. These USTs shall include those where the



1 responsible parties have shown to the satisfaction of the Department of Natural Resources and  
2 Environmental Control, that they do not have the ability to pay for the necessary UST system removal and  
3 the remediation of any resulting contamination. In such case, the department shall not seek cost recovery  
4 of the funds expended under the HSCA fund.

5 Section 195. Section 1 of this Act makes an appropriation to the Department of Natural  
6 Resources and Environmental Control, Water Resources, Management and Support – Water Resources  
7 (40-08-01). Of the total appropriation, \$220.0 will pass through the department to fund the  
8 Environmental Training Center at Delaware Technical and Community College, Owens Campus.  
9 Funding is to be used to provide training for state and local water and wastewater operators.

10 Section 196. Fish and Wildlife is authorized to expend funds carried forward from the sale of  
11 boat registration fees, effective Fiscal Year 2000 and thereafter, for the purpose of supporting fisheries  
12 programs and marine enforcement.

13 Section 197. It is intent of the General Assembly that the Department of Natural Resources and  
14 Environmental Control shall be required, pending legal review, to post on its Internet website within three  
15 working days, all unclassified misdemeanors issued by Air and Waste Management Enforcement Officers  
16 after such citations have been entered in the courts.

17 Section 198. Section 1 of this Act appropriates 1.0 ASF FTE Enforcement Coordinator position,  
18 which shall be exempt from the Merit System, to the Department of Natural Resources and  
19 Environmental Control, Office of the Secretary (40-01-01) to be funded through expenses incurred and  
20 recovered by the department, related to processing of administrative enforcement actions under 7 Del. C.  
21 c. 60. Violators shall be liable for the following expenses of the investigation incurred by the State after  
22 the notice of violation is issued: direct costs of the investigation; legal assistance including paralegal  
23 assistance; public hearings; all other costs expressly determined by the Secretary as reasonably related to  
24 the investigation of the incident; and the indirect costs related to all of the above.

25 Section 199. Section 1 of this Act makes an appropriation for contractual services to Department  
26 of Natural Resources and Environmental Control, Parks and Recreation, Operations and Maintenance (40-  
27 06-02). Of the total appropriation, \$25.0 is dedicated to Greenways and Trails maintenance.

1           Section 200. Section 1 of this Act makes an appropriation of \$30.0 in Personnel Costs to the  
2   Department of Natural Resources and Environmental Control, Fish and Wildlife, Fish and Wildlife  
3   Enforcement (40-05-06). This appropriation is to fund five casual/seasonal enforcement officers to patrol  
4   the inland bays.

# **SAFETY AND HOMELAND SECURITY**

Section 201. The Department of Safety and Homeland Security is hereby authorized to continue the agreement between State Police (45-06-00) and Sussex County Council to provide up to 20 additional patrol officers in Sussex County.

In Section 1 of this Act, ASF authority has been provided to State Police, Patrol (45-06-03) in order to accommodate the match requirements stipulated by the agreement. In the event that the aforementioned agreement between State Police and Sussex County is terminated, this authority shall be deauthorized.

Section 202. Section 1 of this Act makes an appropriation to State Police, Executive (45-06-01). Included in this amount are funds for implementation of a Career Development Program. Any adjustment received under this program will be added to base compensation and will be included to determine retirement benefits.

Section 203. State Police receives funds resulting from drug and other seizure activities. If seizure is defined as being under federal jurisdiction, then the funds flow to State Police, Executive (45-06-01), as Non-appropriated Special Funds. The division shall submit a plan for the expenditure of these funds to the Budget Director and the Controller General. This plan shall be updated quarterly. A quarterly report as to the expenditure of such funds and to the respective projects shall be submitted to the Budget Director and the Controller General.

Section 204. In addition to the positions authorized in Section 1 of this Act for State Police (45-06-00), additional positions are authorized in State Police, Patrol (45-06-03) for the purpose of training State Police recruits. During recruit training, up to 20 positions will be made available to accommodate the class being trained. Funding is authorized for initial use of these positions to accommodate an anticipated graduating class of 15 troopers. The Budget Director may authorize additional recruit positions accordingly.

Section 205. Notwithstanding 29 Del. C. c. 63 and c. 69 or any other statutory provision to the contrary, the Department of Safety and Homeland Security is authorized to enter into agreements with private telecommunications companies to use space for communication facilities on telecommunications

towers under their administration. The revenues paid to the State under these agreements shall be designated for use by State Police in support of mobile data computing telecommunications infrastructure cost, effective retroactively.

Section 206. Section 1 of this Act provides 3.0 Physical Plant Maintenance/Trades Mechanic I FTEs to the Department of Safety and Homeland Security, State Police, Building Maintenance and Construction (45-06-02). These positions shall report to Delaware State Police Troop 1, Troop 2 and Troop 6.

Section 207. (a) Amend 16 Del. C. §9814 (b) by deleting said subsection in its entirety and substituting in lieu thereof the following:

“(b) The operational costs of each county’s component of the statewide paramedic service shall be shared by the State and county with the State providing 40 percent of the cost and the county providing 60 percent.”

(b) Amend 16 Del. C. §9814 (c) by deleting the number “60” as it appears therein and substituting in lieu thereof the number “40”.

(c) Amend 16 Del. C. §9814 (d) by deleting the number “60” as it appears therein and substituting in lieu thereof the number “40”.

# TRANSPORTATION

Section 208. The department shall provide a quarterly report of potential liabilities and expenditures from the Environmental Contingency account to the Office of Controller General and the Budget Office.

Section 209. The Delaware Transportation Authority budget, as set forth in memorandum form in Section 1 of this Act, shall be expended in accordance with the following limitations:

(a) Debt Service estimates are for current project financing as authorized by 2 Del. C. c. 13.

(b) Funds provided for Newark Transportation are intended to cover the expenses of the public transportation system operated by the City of Newark. The funds may be used to provide up to 100 percent of the total operating cost of the system during the year.

(c) Funds provided for Kent and Sussex Transportation “E&H” are intended for continuation of transportation service for the elderly and handicapped in Kent and Sussex counties. It is intended that management and direction of the service will reside with the Delaware Transit Corporation which may contract for services as they see fit, and that Kent County and Sussex County governments will review and approve allocation of the service levels within each county.

(d) Funds provided for Kent and Sussex Transportation “E&H” includes funding for the Sussex County Reimbursable Program. To improve the operation of this program, the following provisions shall be implemented:

- 1) Sussex County Council, on behalf of the eligible transportation providers, shall submit annual operating budget requests to the Delaware Transit Corporation by September 1 of each year; and
- 2) Delaware Transit Corporation shall by May 1 distribute proposed contracts to each of the eligible transportation providers for transportation services commencing the ensuing July 1. Said contracts shall be subject to an annual appropriation for such purpose.

1 (e) It is intended that funds for Taxi Services Support “E&H” will be maintained at least at the  
2 same service level as in the previous year. It is intended that management and direction of these services  
3 shall reside with the Delaware Transit Corporation who may contract for this service as required.

4 (f) Funds of the Delaware Transit Corporation may not be provided as aids to local governments  
5 for transportation systems which restrict passengers because of residential requirements. Nothing in this  
6 Section is meant to require that governments must operate these transportation systems outside their  
7 political boundaries.

8 (g) Funds provided for Transit Operations are intended to include funding to allow the Delaware  
9 Transit Corporation or a private contractor to:

10 1) continue to provide the present level of service to dialysis patients on normal service days  
11 during the hours offered in New Castle County by the Delaware Transit Corporation to  
12 the extent that such service does not place the Delaware Transit Corporation in violation  
13 of the federal Americans with Disabilities Act.

14 2) provide service to dialysis patients in Kent and Sussex counties during hours identical to  
15 those offered in New Castle County.

16 Section 210. Section 1 of this Act appropriates \$862.1 TFO to Finance (55-01-02) for  
17 Operations/Capital. Of this amount, \$200.0 shall be allocated to the Maritime Exchange for the Delaware  
18 River and Bay.

19 Section 211. Section 1 of this Act makes an appropriation of \$830.3 TFO to Planning (55-03-01)  
20 for Operations/Capital.

21 (a) Of this amount, \$25.0 shall be used for infrastructure research and forums through the  
22 University of Delaware, School of Urban Affairs and Public Policy. An additional \$25.0 shall be  
23 allocated for the purposes set forth in this Section to be funded from eligible Federal Funds. The  
24 activities funded by this appropriation shall be approved by the Secretary of the Department of  
25 Transportation.

26 (b) Of this amount, \$250.0 shall be used for the purposes of funding research programs of the  
27 Delaware Transportation Institute. Use of these program funds are subject to prior approval of the

research approach and specific research projects of the Institute by the existing Policy Committee for the Institute, which shall include representation from the Department of Transportation, the University of Delaware, the Chairperson of the House Transportation and Infrastructure Committee, and the Chairperson of the Senate Highways and Transportation Committee and/or the Energy and Transit Committee.

Section 212. The Department of Technology and Information shall bill the Department of Transportation, Technology and Support Services (55-02-00) on an actual usage basis.

Section 213. Section 1 of this Act provides an appropriation to Operations and Maintenance (55-04-00). Of this appropriation, \$2,629.2 TFO shall be used to implement the National Pollutant Discharge Elimination System (NPDES). The Secretary of Transportation shall report quarterly to the Budget Director and the Controller General on the status of the implementation of NPDES and provide associated cost projections for the remainder of the fiscal year.

Section 214. Section 1 of this Act makes an appropriation in the amount of \$51,078.6 TFO to Operations and Maintenance, Maintenance Districts (55-04-70) and \$7,694.0 TFO to Operations and Maintenance, Toll Administration (55-04-90). Additionally, the Turnpike Operating Reserve Fund is authorized at \$1,037.1 TFO.

The appropriation for this unit may be allocated among the State's toll roads as follows:

Line Item	Toll Operations		Maintenance	Total All
	I-95	SR-1		
Personnel Costs	2,751.6	2,322.5	5,804.2	10,878.3
Travel	26.0	0.0	0.0	26.0
Contractual/Supplies	1,237.6	821.1	1,855.6	3,914.3
Energy	114.8	329.4	279.8	724.0
Capital Outlay	91.0	0.0	66.0	157.0
<b>TOTALS</b>	<b>4,221.0</b>	<b>3,473.0</b>	<b>8,005.6</b>	<b>15,699.6</b>
<b>FTE's</b>	<b>67.0</b>	<b>64.0</b>	<b>140.0</b>	<b>271.0</b>

Section 215. Section 1 of this Act makes various appropriations from the Transportation Trust Fund for transportation-related operations. Chapters 5.0000 and 6.0000 of the Merit Rules notwithstanding, the State Personnel Office, the Budget Director and the Controller General support the Department of Transportation's ("Department") efforts to develop and implement two pilot programs to

1 provide employee incentives designed to acknowledge outstanding performance and to achieve a net  
2 reduction in costs to the department.

3 The pilot programs, Shared Savings Program and Quality Service Award Program, shall have  
4 oversight by a committee comprised of the Secretary of Transportation, Budget Director, State Personnel  
5 Director, State Controller General, a Representative of Council 81 AFL-CIO, a Representative of the  
6 Amalgamated Transit Union AFL-CIO-CLC and a Representative of the American Arbitration  
7 Association. Guidelines for both pilot programs shall be developed by the department for approval by the  
8 Committee. Analytical assistance shall be provided by staffs of the Financial Management and Budget,  
9 Budget Office and Controller General's Office.

10 Annual savings realized as a result of proposals implemented under the Shared Savings Program  
11 shall be distributed as follows: 50 percent distributed at a per capita rate to all permanent full-time and  
12 permanent part-time department employees and 50 percent to the Transportation Trust Fund.

13 Of the 50 percent share distribution to the Transportation Trust Fund realized from the Shared  
14 Savings Program, not more than \$200,000 per year shall support the Quality Service Award Program with  
15 a maximum award amount of \$10,000 per recipient. The department shall submit a written report on the  
16 outcome of these pilot programs to members of the General Assembly on or before December 31 of each  
17 year.

18 Shared savings proposals must be submitted to the Director, Finance, by October 1, 2001.  
19 Implementation of savings proposals will commence July 1, 2002 for Fiscal Year 2003. Upon the  
20 conclusion of Fiscal Year 2003, the Oversight Committee shall assess the  
21 proposals with respect to their actual savings and will distribute associated Shared Savings Awards  
22 December 1, 2003.

23 Section 216. The Department of Transportation and/or its E-ZPass contractor is prohibited from  
24 monitoring the speed of motor vehicles through E-ZPass toll booths for the purpose of issuing traffic  
25 citations or the suspension of E-ZPass privileges. Nothing in this section shall prohibit the State Police  
26 from enforcing traffic laws including speed enforcement at the E-Z Pass toll booths.



1           Section 217. Section 1 of this Act makes an appropriation to Operations and Maintenance,  
2   Maintenance Districts (55-04-70) in the amount of \$3,041.0 TFO to establish a Special Line called  
3   Snow/Storm Contingency that will provide for the expenses of weather/emergency operations.  
4   Notwithstanding any other provision of law to the contrary, any sums in this account not expended by the  
5   end of a fiscal year, shall be carried over for use in future fiscal years, with appropriate transfers to  
6   current fiscal year accounts. The department shall be allowed to transfer funds from this account to  
7   divisions on an as needed basis, for expenditures incurred. The department may also transfer funds to  
8   municipalities and other qualified entities to reimburse them pursuant to contracts entered into by the  
9   department and the municipality to keep transit routes open during snow and storm emergencies. The  
10   transfer of funds from this account shall not require the approval of the Budget Director or the Controller  
11   General. The department must provide a quarterly report each fiscal year.

12           Section 218. In addition to the positions authorized in Section 1 of this Act for the Department of  
13   Transportation, Technology and Support Services, Office of Information Technology (55-02-03),  
14   additional positions are authorized in Delaware Transportation Authority (55-06-01) for the purpose of  
15   information technology support. As remaining positions for the purpose of information technology  
16   support become vacant, up to 3.0 FTEs and associated funding from the Delaware Transportation  
17   Authority may be reallocated to continue the centralization of the information technology function within  
18   the Office of the Secretary. The Budget Director and Controller General may authorize this reallocation  
19   accordingly.

20           Section 219. During the fiscal year, the Department of Transportation shall be prohibited from  
21   changing its departmental policy regarding access pipe installation on private homeowner entrances.  
22   Specifically, the department shall not charge said homeowners for the labor costs associated with the  
23   installation of the access pipe.

24           Section 220. Amend 30 Del. Code §5107(a) by deleting the number “\$200,000” as it appears  
25   therein and substituting in lieu thereof the number \$1,500,000”.

26           Section 221. Amend 30 Del. Code §5134(d)(1) by deleting the number “\$200,000” as it appears  
27   therein and substituting in lieu thereof the number “\$1,500,000”.

1           Section 222. Notwithstanding any other provisions of the Delaware Code, the Department of  
2   Transportation, Division of Motor Vehicles (55-11-00) shall have the authority to charge state agencies  
3   for state identification cards, not to exceed \$10 per card. The amount to be reimbursed shall be  
4   determined by the Division of Motor Vehicles and will be deposited into a holding account coded as  
5   special fund revenue and shall not be subject to General Fund deposit or Transportation Trust fund  
6   deposit at any time.

7           Section 223. Section 1 of this Act appropriates \$200.0 TFO to the Department of Transportation,  
8   Division of Motor Vehicle, Vehicle Services (55-11-30) for the purpose of replacing vehicle inspection  
9   equipment.

10          Section 224. Notwithstanding the provisions of 29 Del. C. § 6102(o)(3), any remaining balance  
11   in the Inspection and Maintenance (I/M) Fund shall not be subject to General Fund deposit until June 30,  
12   2003. These funds may be used for costs associated with Division of Motor Vehicle lane construction.

# LABOR

Section 225. (a) Section 1 of this Act provides an appropriation of \$235.2 to Employment and Training, Employment and Training Services (60-09-20) for the Delaware State Summer Youth Employment Program to operate a program commencing July 1, 2003. The budget will take into consideration the funds required to commence the program at the end of Fiscal Year 2004, on or about June 15, 2004. This sum is to be allocated in the following manner:

New Castle County (outside the City of Wilmington)	\$ 70.4
City of Wilmington	70.8
Kent County	47.0
Sussex County	<u>47.0</u>
TOTAL	\$235.2

(b) In each of the political subdivisions wherein funds have been appropriated, no more than \$5.0 shall be expended for administrative purposes and no more than \$2.0 shall be expended for equipment, supplies and mileage. A record of all equipment and supplies purchased with funds herein appropriated shall be kept by the sponsoring agent, and at the conclusion of the ten-week program such supplies and equipment shall be reverted to the Department of Labor.

(c) The funds appropriated for the Delaware State Summer Youth Employment Program shall not be co-mingled with funds appropriated from any other source. The guidelines for youth employment and administrative costs for all persons employed in the State Summer Youth Employment Program shall be based in accordance with prior years practice of payment for services.

Section 226. Section 1 of this Act provides an appropriation of \$355.0 in Contractual Services to Employment and Training (60-09-00). Of this amount, \$65.0 shall be used to fund a non-profit professional apprenticeship and training program for young Delawareans ages 18-30. The training and apprenticeships shall include leadership skills, team building, problem solving and community issues.

# AGRICULTURE

Section 227. Section 1 of this Act appropriates 1.0 ASF FTE to the Agricultural Lands Preservation Foundation (65-01-13). This position shall be contingent upon the appropriation of sufficient operating funds for the Agricultural Lands Preservation Foundation as contained in the Fiscal Year 2004 Capital Improvement Act or remaining funds from the appropriation in the Fiscal Year 2003 Capital Improvement Act.

# ELECTIONS

Section 228. Any Department of Election, upon approval of the respective Board of Elections, may establish polling places in which one or more small mandated districts of less than 300 registered voters as of 60 days prior to the date of an election may be administered by the election officers of another election district.

These entities shall hereinafter be referred to as "Combined Election Districts". Each election district that is part of a Combined Election District shall have designated voting machine(s), voting machine certificate, absentee ballot box, poll list, signature cards and other documents and/or materials necessary to certify the election.

The respective department may assign up to two additional clerks for each such mandated district so assigned to a Combined Election District. If any Board of Elections is unable to meet due to a vacancy, the Commissioner of Elections shall approve the establishment of Combined Election Districts within that respective county.

Section 229. 70 Del. Laws, c. 515 transferred the responsibility for the conduct of school board, referenda and bond issue elections to the Department of Elections, should this law be funded by the General Assembly.

Funding included in Section 1 of this Act provides an appropriation to the Department of Elections, Commissioner of Elections (70-01-01) in the amount of \$350.0, which includes all costs for transporting voting machines used in all public school elections.

The Department of Elections for the county responsible for conducting a public school election shall appoint, compensate and train an inspector and such election officers as it deems necessary to properly staff the polling places designated for use in a public school election. The respective Department of Elections shall also designate two of the other election officers to join with the inspector in deciding all questions regarding voter eligibility. All other questions concerning operation of the polling place shall be decided by the inspector.

The total statewide expenditures for school elections shall not exceed the amount appropriated in Section 1 of this Act or approved transfers for said purpose.

1           Section 230. Section 1 of this Act contains an appropriation for Commissioner of Elections, (70-  
2   01-01), Other Items: Voter Purging, for the purpose of assisting the Department of Elections with its  
3   statewide efforts to maintain the voter rolls in an orderly manner.

4           Section 231. For purposes of designating and procuring polling places for primary, general and  
5   special elections, the respective county department of elections shall pay a rental fee totaling \$0.2 for each  
6   facility used, no matter how many election districts are assigned to that facility.

7           Section 232. Any state agency, office or department is prohibited from publishing or funding the  
8   publication of voter guides.

9           Section 233. Notwithstanding any other provisions of the Delaware Code or this Act to the  
10   contrary, the Commissioner of Elections is authorized to use prior year funds and residual Contractual  
11   Services funding originally appropriated for voting machine warranties for voting machine maintenance  
12   and lithium battery replacement upon expiration of voting machine warranties.

# **FIRE PREVENTION**

Section 234. Section 1 of this Act provides an appropriation of \$100.0 to the State Fire Prevention Commission (75-03-01) in the line item Statewide Fire Safety Education. These funds are to be matched by members of the Delaware Association of Volunteer Firemen and are to be used for the purpose of operating a Statewide Fire Safety Education Program.

Section 235. Section 1 of this Act appropriates \$2.0 to the Office of the State Fire Marshal (75-01-01) for the purchase of smoke detectors and educational materials for the Juvenile Firesetter Intervention Program.

# NATIONAL GUARD

Section 236. Section 1 of this Act provides an appropriation to Delaware National Guard (76-01-01) for energy. Within this appropriation, sufficient energy funds are included to defray energy expenses of the Lora Little School building that are not directly attributable to occupancy by the Delaware National Guard.

Section 237. Section 1 of this Act provides an appropriation to the Delaware National Guard (76-01-01) for educational assistance. The National Guard shall not be required to pay fees.



# HIGHER EDUCATION

Section 238. Section 1 of this Act provides an appropriation for Operations of the University of Delaware (90-01-01) and an appropriation for Operations of the Delaware Geological Survey (90-01-02). This figure includes total state assistance for University operations costs as well as funds required to be appropriated by 29 Del. C. § 5505(6). The appropriation for Operations of the University of Delaware includes \$2,373.9 for energy.

Section 239. (a) Section 1 of this Act appropriates amounts for Scholarships, Agricultural Programs and Other Programs to the University of Delaware (90-01-01). Those amounts shall be allocated as follows:

Scholarships:

General Scholarships	\$2,381.4
Scholarships	1,851.6
Minority Student Recruitment	1,362.1
Aid to Needy Students	1,516.9
Governor's Scholars Program	200.0
Student Employment Program	136.9
Academic Incentive	<u>114.6</u>
Total	\$7,563.5

Agricultural Programs:

Agricultural Experimental Station	\$ 589.5
Agricultural Cooperative Extension	870.9
Agricultural Research and Education Center	426.3
Poultry Disease Research	554.8
Crop Extension	280.9
Agricultural Environmental Quality	185.1
Soil Testing and Pesticide Program	264.3

1	Diagnostic Poultry Program	<u>141.8</u>
2	Total	\$3,313.6
3	<u>Other Programs:</u>	
4	Sea Grant	\$ 506.6
5	Urban Agent Program	122.8
6	Public Service and Applied Research Projects	410.2
7	Minority Recruitment	265.5
8	Local Government Research and Assistance	217.1
9	Graduate Education (Southern Delaware)	33.8
10	Library Automation	52.0
11	MALS/BALS - Southern Delaware	64.1
12	Nurse Practitioner	244.8
13	Science, Engineering and Technology Service Program	142.9
14	Molecular Biology/Biotechnology Program	455.0
15	Math/Science Education for DE Teachers	570.5
16	Advanced Materials	133.1
17	Center for Community Development and Family Policy	238.7
18	Training and Research (Educational Management)	107.9
19	Computer Aided Math Instruction	80.0
20	Advanced Electronics and Materials Initiative	591.9
21	Field Hockey Coach	33.0
22	Delaware Center for Teacher Education	320.7
23	Research on School Finance Issues	82.5
24	Delaware Education Research and Development Center	216.2
25	Delaware Research Scholars Program	150.0
26	Milford Professional Development School	108.0
27	Information Technology Partnership	2,321.0

1	ITV Technician	55.1
2	Core Content Teacher Education	289.4
3	Biotechnology	275.9
4	Computer Aided Instruction, Arts & Science	100.0
5	Clinical Instruction in Teacher Education	217.2
6	Early Childhood Education	103.8
7	Civics Education for Teachers	100.0
8	Biotechnology Institute	186.2
9	Software License Support	125.0
10	Assistant Women's Coaches	41.8
11	Study Abroad for Delaware Residents	<u>50.0</u>
12	Total	\$9,012.7

13 (b) Notwithstanding any provision to the contrary, and assuming the Fiscal Year 2004 budget is  
14 as herein recommended, the University will, and has agreed to, meet ongoing commitments in Fiscal Year  
15 2004 utilizing University funds for those programs identified for reduction in State funds. In addition, the  
16 University will, and has agreed to, not lay off any faculty or staff in these programs nor discontinue any  
17 of the impacted programs.

18 (c) Subsection (a) of this section appropriates \$200.0 for the Governor's Scholars Program. Of  
19 said funds, \$100.0 shall be combined with University funds to honor commitments made to currently  
20 enrolled eligible recipients prior to Fiscal Year 2004, until said completion. The remaining \$100.0 shall  
21 be used for new students in Fiscal Year 2004. Students that are pursuing educational or nursing degrees  
22 shall have priority in receiving a merit scholarship under this Program.

23 Section 240. Section 1 of this Act provides an appropriation to the University of Delaware (90-  
24 01-01) for Agricultural Programs. Within that appropriation are sufficient funds to fully fund 5.0 FTEs  
25 Agricultural Extension Agents in New Castle County, 3.0 FTEs Agents in Kent County, 2.5 FTEs Agents  
26 in Sussex County, and 1.0 FTE Agricultural Extension Engineer for the Agricultural Cooperative  
27 Extension Program.

1       Section 241. Section 1 of this Act provides an appropriation to the University of Delaware for the  
2       Milford Professional Development School. The University and the Milford School District shall submit  
3       to the Controller General and the Budget Director, by March 1, 2004, a joint report detailing the  
4       implementation status of this program as it relates to the appropriation herein.

5       Section 242. Section 1 of this Act makes an appropriation to Delaware State University,  
6       Operations (90-03-01), for General Scholarships. Of that amount, \$22.0 shall be for state scholarships for  
7       high ability students, \$20.0 shall be for departmental scholarships to attract high achievers into the  
8       sciences, \$200.0 shall be for scholarships to attract high ability students into the teaching program, and  
9       \$100.0 shall be for scholarships for female athletes.

10       Section 243. For the fiscal year covered by this Act, in order to continue the assessment of  
11       procedures implemented during Fiscal Year 1993 intended to reduce the administrative burden incurred  
12       as a result of processing accounting transaction data into two independent accounting systems, the Budget  
13       Director has authorized Delaware State University to:

14               (a) Discontinue detail data input to the Delaware Financial Management System (DFMS) for  
15       encumbrance and vendor payment transactions related to General Fund, federal financial assistance and  
16       college funds;

17               (b) Effect vendor payment disbursements of the above identified funds on Delaware State  
18       University checks, generated through the University Accounting System and drawn on a University bank  
19       account; and,

20               (c) Summarize General Fund and federal financial assistance fund disbursements on a weekly,  
21       post disbursement basis, and draw down the corresponding amounts through the standard DFMS Payment  
22       Voucher process.

23       This authorization does not provide for any change to the processing of encumbrances and vendor  
24       payment transactions related to Bond/Capital funds; it does not affect payroll processing and does not  
25       relax or alter any control requirements prescribed by law or policy related to procurement, encumbrance  
26       and payment activity.

1           The University shall comply with specific procedures developed and prescribed by the Office of  
2   the Budget and the Department of Finance, Accounting. In addition, the University shall cooperate fully  
3   with the Office of Auditor of Accounts to aid in any review or examination of the University's accounting  
4   procedures, records and system.

5           Operations as enabled by this section shall be periodically reviewed and evaluated during the  
6   stated period by the Office of the Budget, the Department of Finance and the Office of Auditor of  
7   Accounts. Any procedural/control weaknesses identified shall be addressed and resolved, and this  
8   authority may be withdrawn for cause at any time during the stated period, with the allowance that  
9   Delaware State University will be provided reasonable time to revert to standard processes.

10          Section 244. Section 1 of this Act provides an appropriation to Delaware Technical and  
11   Community College, Office of the President (90-04-01), for Parallel Program - Operation and Parallel  
12   Program - Academic. This appropriation is to assist in the provision of the Delaware  
13   Technical/University of Delaware Parallel Program which will be operated jointly by the two institutions  
14   under a contract initiated by Delaware Technical and Community College. Under this contract, the  
15   University of Delaware will teach students at Delaware Technical and Community College's facilities.  
16   Future budget requests will be made jointly by Delaware Technical and Community College and the  
17   University of Delaware, and budget cuts, if necessary, will be shared on a pro rata basis. Approval of  
18   tuition and other fees will be made by the Board of Trustees of the institution that delivers the relevant  
19   service and after the institutions have reached an agreement for tuition sharing. Representatives from  
20   both institutions will meet at least once each semester to review program operations.

21          Section 245. Section 1 of this Act contains an appropriation of \$237.4 for the Delaware Institute  
22   of Veterinary Medical Education (DIVME), (90-07-01). Notwithstanding current Laws of Delaware  
23   relating to the DIVME Program, these funds shall be used to provide tuition support for up to two  
24   Delaware residents studying at the Virginia-Maryland Regional College of Veterinary Medicine, up to  
25   five Delaware residents accepted to a veterinary medicine program at the University of Georgia, and up to  
26   six Delaware residents accepted to a veterinary medicine program at Oklahoma State University.

# EDUCATION

Section 246. The provisions of this Act and the Delaware Code notwithstanding, the Department of Education, Budget Office and Controller General's Office are authorized to simplify the complexity of state share accounting by consolidating school district appropriations in the Delaware Financial Management System. Such consolidation may include state funding appropriated and allocated to school districts under Division I, II and III, Academic Excellence, Guaranteed Unit, Reading Cadre, Teacher to Teacher Cadre, Reading Resource Teachers, and Exceptional Student Unit-Vocational. Appropriations authorized to be consolidated herein, shall not alter the school funding formulas, salary schedules, and provision of expenditure stipulated in 14 Del. C. and in this Act.

Section 247. For this fiscal year, employees who have been issued a temporary certificate for a third or fourth year due to failure to pass Praxis I shall continue to receive a ten percent salary reduction. Employees currently on a temporary certificate as a result of being assigned to an area outside the area of certification shall not receive a ten percent salary reduction.

For the purposes of implementing stipends for lead mentors, such stipends shall not be paid until the Professional Standards Board, with the approval of the State Board of Education, has authorized the stipend. The effective date of any supplements associated with skills and knowledge, leadership, lead mentor, and other National Board certificates shall be determined by the Budget Director and Controller General, in consultation with the Department of Education, and upon approval by the Professional Standards Board and the State Board of Education.

Section 248. Section 1 of this Act makes an appropriation of \$500.0 ASF and 1.0 ASF FTE to the State Board of Education and State Board for Vocational Education and Department of Education (95-01-01) for the Delaware Interscholastic Athletic Fund. The Association shall not operate any accounts outside of the State accounting system and the Fund shall be interest bearing.

Funds shall be utilized to support the activities and operations of Delaware interscholastic athletics. During the fiscal year, the expenditure of funds from the Delaware Interscholastic Athletic Fund will be in accordance with the Division of Accounting budget and accounting procedures.

1           Section 249. Amend 14 Del. C. §1305 (h) by deleting the number “2004” as it appears therein  
2 and substituting in lieu thereof the number “2005”.

3           Section 250. Amend 14 Del. C. §1318 (g) by deleting the number “2003” as it appears therein  
4 and substituting in lieu thereof the number “2004”.

5           Section 251. Amend 14 Del. C. §1318A (b) (10) by deleting the number “2003” as it appears  
6 therein and substituting in lieu thereof the number “2004”.

7           Section 252. Amend 14 Del. C. §1320 by deleting the number “2003” as it appears therein and  
8 substituting in lieu thereof the number “2004”.

9           Section 253. Amend 14 Del. C. §1703 (j) by deleting the number “2004” as it appears therein  
10 and substituting in lieu thereof the number “2005”.

11           Section 254. (a) The positions included in Section 1 of this Act that are authorized to the  
12 Department of Education shall be assigned in the manner shown on the Organization Chart submitted  
13 with the Annual Appropriation Act.

14           (b) The Secretary of Education is authorized to undertake a review of the organization of the  
15 Department of Education pursuant to the provisions of 14 Del. C. §103(a) (4). Upon completion of the  
16 review, the Secretary may present a reorganization plan to the co-chairs of the Joint Finance  
17 Committee (JFC) and obtain written approval of the co-chairs. Upon approval of the co-chairs, the  
18 Secretary shall obtain the written approval of the Governor, as required under 14 Del. C. §103(a) (4).  
19 Pursuant to the provisions of 14 Del. C. §103(a) (2), this written approval shall constitute approval for  
20 the Secretary to fix the salaries of certain officers within the Department, provided, however, that the  
21 level of salary shall be clearly delineated in any reorganization plan presented to the JFC co-chairs and  
22 the Governor.

23           Section 255. For this fiscal year, the inflation factor for the local per pupil payments required  
24 under the state’s Enrollment Choice Program, as specified in 14 Del. C. §408(e), and for the local per  
25 pupil payments required under the state’s Charter School Program, as specified in 14 Del. C. §509(d),  
26 shall be equal to the general salary increase enumerated in Section 8 of this Act.

1        Section 256. Any course offered at a vocational technical high school may be offered in the  
2        comprehensive high schools if a sufficient student interest can be demonstrated as determined by the  
3        Secretary of Education.

4        Section 257. Section 1 of this Act makes an appropriation to Public Education, State Board of  
5        Education and State Board for Vocational Education and Department of Education, State Board of  
6        Education and Department of Education (95-01-01) for Educator Certification and Development  
7        activities. This appropriation to the Department of Education is intended to offset expenditures in the  
8        following areas: standard setting for PRAXIS II; teacher and administrator assessment procedures;  
9        revision and update of teacher and administrator evaluation procedures (DPASII); diversity recruiting;  
10       professional recertification and expanding the Alternative Routes to Teacher Certification program.

11       Section 258. Section 1 of this Act provides an appropriation of \$329.5 to Public Education, State  
12       Board of Education and State Board for Vocational Education and Department of Education, State Board  
13       of Education and Department of Education (95-01-01) for Standards and Assessment. Part of the  
14       Standards and Assessment program agenda is to support the development and completion of performance  
15       indicators.

16       Section 259. Section 1 of this Act makes an appropriation of \$42.0 to Public Education, State  
17       Board of Education and State Board for Vocational Education and Department of Education, State Board  
18       of Education and Department of Education (95-01-01) for Odyssey of the Mind. This appropriation shall  
19       be made available to school students to assist in defraying out-of-state travel expenses associated with this  
20       program.

21       Section 260. Section 1 of this Act makes an appropriation of \$500.0 to Public Education, State  
22       Board of Education and State Board for Vocational Education and Department of Education, State Board  
23       of Education and Department of Education (95-01-01) for Student Mentoring. Of this amount \$350.0  
24       shall be used by the Department of Education to review and award grants competitively to schools with  
25       grades kindergarten through eighth. Programs selected shall provide at-risk children with academic  
26       tutoring and instruction, with the involvement of parents and volunteer mentors. School districts shall  
27       make direct application to the Department on behalf of individual school buildings, addressing in their



proposal the following: (a) one-on-one tutoring for academically at-risk students; (b) early childhood preventive intervention strategies; (c) adherence to academic standards as adopted by the State Board of Education; (d) parental involvement; and (e) provision of program evaluation and performance evaluation. Local schools are encouraged to utilize such programs for students during non-core academic class time. Grant awards for individual schools, of no more than \$30,000 each, shall be determined by the Department no later than November 30 of each year and funds shall be allocated by December 31 of each year. The remaining \$150.0 may go to the University of Delaware for the Delaware Mentoring Council to provide technical assistance and professional development for mentors and other activities.

Section 261. Section 1 of this Act appropriates \$600.0 to Public Education, State Board of Education and State Board for Vocational Education and Department of Education, State Board of Education and Department of Education (95-01-01) for Infrastructure Capacity. These funds shall be used to support the development and implementation of automated systems to manage such activities as the licensure and certification process; the Delaware Performance Appraisal System; the tracking of skills and knowledge supplements; the SREB Learning Connections project; and the accountability reporting system.

Section 262. Section 1 of this Act appropriates \$2,120.0 to Public Education, State Board of Education and State Board for Vocational Education and Department of Education, State Board of Education and Department of Education (95-01-01) for Educator Accountability. These funds shall be used to support the implementation of educator accountability initiatives such as skills and knowledge supplements; design and implementation of DPAS II; teacher recruitment and retention programs; and modification of the licensure and certification system. Prior to expending any of these funds, an approved budget must be reviewed and approved by the Secretary of the Department of Education, the Budget Director, and Controller General.

Section 263. The Department of Education shall transfer \$100.0 to the Department of Safety and Homeland Security, State Police to reimburse qualified applicants for the cost of criminal background checks for all school district employees on a first come, first served basis. State Police shall send quarterly reports to the Department of Education regarding expenditures of said funds.

1           Section 264. 14 Del. C. § 122(e), requires the Department of Education to review all regulations  
2 to ensure that all regulations are current and not burdensome, and 14 Del. C. § 122(f) and (g) provide a  
3 means for districts to pursue waivers of state regulations. The Federal Education Flexibility Partnership  
4 Act of 1999 allows districts to apply for waivers of federal regulation in states that have adopted  
5 challenging content and performance standards, have aligned assessments to those standards, have  
6 established a system of school and district accountability, and allow waiver of State statutory and  
7 regulatory requirements relating to education.

8           Given federal approval of the Department of Education's application for Ed Flex, the Department  
9 may waive State statutory and regulatory requirements pursuant to the Federal Education Flexibility  
10 Partnership Act of 1999. Such waivers must be applied for according to procedures and policies  
11 determined by the Department of Education and must be related to Title I, Part B of Title II, Title IV,  
12 Title VI, Part C of Title VII, and the Carl D. Perkins Vocational and Technical Education Act of 1998.  
13 State programs for which waivers may be granted include, but are not limited to, Extra Time, School  
14 Climate and Discipline, Academic Excellence, Early Reading Intervention, Student Mentoring, and  
15 Professional and Curriculum Development.

16           Section 265. During this fiscal year, the Department of Education is authorized to develop an  
17 improved funding structure to provide resources to students with disabilities in the most flexible and  
18 equitable manner possible. This proposed structure shall be subject to the approval of the Budget  
19 Director and Controller General. Upon receiving such approval, the Department will be authorized to  
20 implement this new structure on a pilot basis in two school districts in Fiscal Year 2004 with the intention  
21 to implement statewide in Fiscal Year 2005.

22           Section 266. The Delaware Code notwithstanding, during this fiscal year, the Budget Director is  
23 authorized to continue funding for issues such as, but not limited to, the number of administrative  
24 positions and activity busing for which the State was required to provide funding as a result of a 1978  
25 federal court order. This authorization, as it relates to administrative positions, shall apply only to  
26 positions filled for employment, and shall not be considered as authorization to fund any cash options  
27 pursuant to 14 Del. C. § 13.

1           Section 267. Line item funds appropriated in Section 1 of this Act to Public Education, School  
2 District Operations, Other Items (95-02-02) are to cover adjustments in the appropriation units of the  
3 State Board of Education and State Board for Vocational Education and Department of Education (95-01-  
4 01), Block Grants and Pass Through Programs (95-03-00), Pupil Transportation (95-04-00), or the local  
5 school districts. Examples of such use are: salary line transfers and adjustments; unit adjustments; state  
6 share of tuition payment for private placement of handicapped pupils; for Delaware residents of the  
7 Delmar School District attending Maryland schools; expenditures for Americanization classes; and pupil  
8 transportation costs.

9           Section 1 of this Act also provides certain appropriations to Public Education, School District  
10 Operations, Other Items (95-02-02) and Block Grants and Pass Through Programs (95-03-00) for school  
11 districts in the State. 14 Del. C. § 1704, provides the method of determining the appropriate number of  
12 pupil units for each school district based on the September 30 enrollment. Sufficient funds will be placed  
13 in the school district accounts to operate for a partial year. Based on the approved Department of  
14 Education Unit Count for September 30, adjustments will be made to the district accounts. These  
15 adjustments will be accomplished through the transfer process and therefore approved by the Budget  
16 Director and Controller General.

17           General Fund appropriations to Public Education in appropriation units (95-03-00), (95-04-00)  
18 and the Delmar Tuition, General Contingency, Teacher of the Year, and Debt Service appropriations in  
19 appropriation units (95-01-00) and (95-02-00) shall not be subject to the limitations as defined for  
20 Division I and Division II in 14 Del. C. § 1706 and § 1709.

21           Section 268. Section 1 of this Act makes an appropriation to Public Education, School District  
22 Operations, Other Items (95-02-02) for Guaranteed Unit Count. The appropriation is sufficient to fund 20  
23 guaranteed units. In the event that more units are required districts shall receive partial unit funding in  
24 proportion to the units available.

25           A school district that loses enrollment as a result of a decision to close a school or program shall  
26 not be guaranteed units lost as a result of that decision.

Section 269. Notwithstanding the provisions of 14 Del. C. §1703, the First State School Program shall be guaranteed state funding based upon a minimum of two Division I units. In addition, Section 1 of this Act appropriates \$220.0 to Public Education, Block Grants and Pass Through Programs, Special Needs Programs for the First State School.

The Department of Education, Children's Services Cost Recovery Project is authorized to pursue Medicaid cost recovery for eligible services provided to Medicaid eligible children at the First State School. Students in the program are considered eligible for special education services and have Individual Education Plans in addition to their medical treatment plans. Any funds recovered shall be returned to the Department of Education and utilized to offset the guaranteed 2.0 units and First State School operational costs.

The Department of Education is authorized to provide the AI duPont Hospital Program annual state funding in an amount not to exceed \$50.0 from funds appropriated in Section 1 of this Act to Public Education, School District Operations, Other Items (95-02-02).

Section 270. Section 1 of this Act provides certain appropriations to Public Education, School District Operations, Other Items and Debt Service. These amounts are not based on the unit system. Allocation of these funds shall conform to the following:

(a) Debt Service amounts are predicated upon the amortization schedule as provided by the State Treasurer.

(b) The line item Other Items in the internal program unit Other Items (95-02-02) shall be allocated as follows:

- |                                    |         |
|------------------------------------|---------|
| 1. Caesar Rodney - Americanization | \$ 14.1 |
| 2. Red Clay - Americanization      | 113.6   |
| 3. Margaret S. Sterck -            |         |
| Residence - Other Costs            | 85.4    |
| Consultant Services                | 11.0    |
| Preschool Summer Program           | 6.9     |
| 4. Christina Autistic -            |         |

1	Residence - Other Costs	206.5
2	Contractual Services	11.4
3	5. John G. Leach	50.0
4	6. Sussex Orthopedic School	<u>7.5</u>
5	Total	\$506.4

6 Section 271. (a) Section 1 of this Act makes an appropriation to Public Education, School  
7 District Operations, Other Items (95-02-02) of \$1,600.0 for School Improvement Funds. Of that amount,  
8 \$1,500.0 shall be used to provide technical assistance and support to schools rated as school improvement  
9 and unsatisfactory performance. The remaining \$100.0 shall be allocated for recognition of schools  
10 whose student bodies demonstrate superior absolute performance, superior improvement performance and  
11 superior distributional performance. Such recognition shall include special ceremonies and/or the award  
12 of plaques or flags.

13 (b) Amend 14 Del. C. §154(c) by deleting the remaining paragraph after the words “plaques or  
14 flags;” in its entirety.

15 Section 272. Section 1 of this Act makes appropriations to Public Education, School District  
16 Operations, Division Funding (95-02-01) for Division II - All Other Costs and Energy. A Division II -  
17 Energy Unit shall be valued at \$1,682. A Division II - All Other Costs Unit shall be valued at \$3,247.

18 Section 273. Provisions of 29 Del. C. § 6102(r)(2) and § 6102(r)(3) notwithstanding, during  
19 Fiscal Year 2004, the sum authorized to the Education Expense and Property Tax Relief Fund shall be  
20 allocated as follows:

21	<b>District</b>	<b>Increase Support</b>	<b>Offset Local</b>	
22	<b>Allocation</b>	<b>for Education</b>	<b>Current Expense Taxes</b>	<b>Total</b>
23	Appoquinimink	\$ 0	\$ 523,260	\$ 523,260
24	Appoquinimink ILC	18,468	0	18,468
25	Brandywine	0	2,158,200	2,158,200
26	Bush	16,350	0	16,350
27	AI Institute	6,298	0	6,298
28	Brandywine ILC	75,210	0	75,210
29	Christina	0	3,691,830	3,691,830
30	Autistic Program	135,407	0	135,407
31	REACH	53,533	0	53,533
32	Sterck	85,023	0	85,023
33	Christina ILC	170,040	0	170,040

1	Colonial	0	2,001,240	2,001,240
2	Leach	75,576	0	75,576
3	Colonial ILC	42,510	0	42,510
4	Red Clay	0	2,897,220	2,897,220
5	Meadowood	75,576	0	75,576
6	Red Clay ILC	122,811	0	122,811
7	Caesar Rodney	0	567,840	567,840
8	Caesar Rodney ILC	9,204	0	9,204
9	Charlton	47,554	0	47,554
10	Capital	0	728,495	728,495
11	Capital ILC	4,820	0	4,820
12	Kent Orthopedic	16,874	0	16,874
13	Lake Forest	0	412,230	412,230
14	Milford	0	584,661	584,661
15	Milford ILC	5,062	0	5,062
16	Smyrna	0	520,000	520,000
17	Smyrna ILC	5,000	0	5,000
18	Cape Henlopen	0	24,174	24,174
19	Delmar	15,294	109,706	125,000
20	Delmar ILC	1,303	0	1,303
21	Indian River	0	592,680	592,680
22	Laurel	68,060	290,254	358,314
23	Laurel ILC	5,874	0	5,874
24	Seaford	0	263,895	263,895
25	Seaford ILC	6,025	0	6,025
26	Woodbridge	0	125,000	125,000
27	New Castle Vo-Tech	0	834,485	834,485
28	New Castle Vo-Tech ILC	25,192	0	25,192
29	Polytech	0	125,000	125,000
30	Polytech ILC	12,272	0	12,272
31	Sussex Technical	0	0	0
32	Total	\$1,099,336	\$16,450,170	\$17,549,506

33        Section 274. Section 1 of this Act provides an appropriation to School District Operations,  
34        Division Funding (95-02-01) for Division III – Equalization. Based on the findings from the 1999 audit  
35        of the Brandywine School District, the Department of Education is authorized to withhold \$110,519 from  
36        the district’s entitlement in Fiscal Years 2004 and 2005.

37        Section 275. Section 1 of this Act contains appropriations to the Department of Education,  
38        School District Operations of \$614,201.6. These appropriations include a reduction of \$10,000.0 in  
39        School District Discretionary Allocation. The Secretary of Education, Budget Director and Controller  
40        General (or their designees) shall develop a plan to implement this recommendation for Fiscal Year 2004.  
41        First consideration will be given to reductions that will have the least effect on direct services to students.

42        Section 276. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
43        and Pass Through Programs, Adult Education Work Force Training Block Grant (95-03-10). This

appropriation shall be allocated by the Department of Education to the following programs/districts:  
Adult Trade Extension (statewide), Apprentice Program (statewide), James H. Groves High School (statewide), Adult Basic Education (statewide), New Castle County Learning Center (Christina School District), Delaware Skills Center (New Castle County Vocational Technical School District), Alternative Secondary Education Program (statewide), Communities in Schools of Delaware (Colonial, Brandywine, and Capital School Districts), Marine Mechanics Apprentice Program (Sussex Technical School District) and Interagency Council on Adult Literacy. For each program continued in Fiscal Year 2004, each program shall receive no less than the same allocation from this appropriation as its Fiscal Year 2003 allocation.

Section 277. Section 1 of this Act makes an appropriation to Public Education, Block Grants and Pass Through Programs, Professional Accountability and Instructional Advancement Fund (95-03-10).

(a) The following allocations shall be provided:

(1) \$225.0 for Alternative Routes programs. \$150.0 is provided for the Alternative Routes to Certification program, to be used to implement this project in this fiscal year. The remaining \$75.0 may be used for the Summer Institute program.

(2) \$2,866.5 shall be allocated by the Department of Education to districts for professional and curriculum development activities. Districts shall submit applications to the Department of Education detailing the district's plan for the utilization of these funds. The Department of Education shall review and approve plans and allocate an amount not to exceed \$331.00 per certified employee, based on a district's personnel complement for the 2002-2003 school year. Grants are to be used for developing and implementing curriculum based on the content standards established by the Curriculum Frameworks Commission, as approved by the State Board of Education or for other professional development activities, including, but not limited to: Discipline, Special Education/Inclusion Collaboration/Consensus Building, Conflict Resolution, Shared Decision Making, local school board member training, and Educational Technology. Districts are encouraged to collaborate as a means of maximizing resources as well as

1 focusing district activities on consistent principles. Grants may be utilized for training,  
2 planning, in-service programs and contractual services. The Department of Education is  
3 authorized to transfer 50 percent of the estimated district grant amount by July 30 of the  
4 fiscal year. The remaining 50 percent shall be transferred within 30 days of the final  
5 approval of the district application for funding.

6 In the application, districts shall detail the proposed utilization of funds as well as  
7 the incorporation of the following criteria:

8 (a) Integration of the proposal with existing resources and programs such as the  
9 Comprehensive Discipline Act, Goals 2000, Delaware Principals Academy,  
10 Delaware Teachers Center, Drug Free Schools, Title 1 and 2, Special Education  
11 and local funds dedicated to Standards and Assessment.

12 (b) Inclusion of local staff in planning of the grant proposal, with representation  
13 from all involved in student learning, including all professional employees by  
14 category. The plan(s) should focus on overall improved student performance,  
15 with a built in level of accountability to determine effectiveness.

16 (3) \$142.8 for Delaware Principals Academy activities. The Department of Education shall  
17 determine, in coordination with the agency (or agencies) operating this program, the goals  
18 and objectives of this program, including how it will further the objectives of Standards  
19 and Assessment and integrate Shared Decision Making training into the program focus.  
20 The Controller General and Budget Director shall ensure that the proposed program is cost  
21 efficient and meets the objectives outlined in this section before agreeing to transfer the  
22 appropriation from the Department of Education to the operating agency. All expenditures  
23 from this allocation shall serve principals from the State of Delaware only.

24 (4) \$800.0 for Professional Mentoring. The intent of this appropriation is for exemplary  
25 teachers to assist new teachers through leadership and guidance, and includes a training  
26 component in order for teachers to become better mentors. This funding level allows for  
27 a statewide program.



1 (5) \$550.0 for Tuition Reimbursement of which \$50.0 shall be used exclusively for tuition  
2 reimbursement for summer school courses. This allocation provides, at the discretion of  
3 the Department of Education, for the possible operation of a tuition reimbursement  
4 program for the purpose of reimbursing public school employees and teachers employed  
5 by state agencies for tuition payments for graduate college courses, including Early  
6 Childhood Education courses, or courses in an Education Technology Certificate  
7 Program. Funds may only be used to reimburse certificated non-administrative  
8 employees. No payment shall be made unless the course taken relates to the employee's  
9 job assignment and is taken with the prior approval of the employing district board,  
10 superintendent or state agency. Local school district boards of education are required to  
11 prioritize the allocation of the funds they receive to support the educational advancement  
12 efforts of regular education teachers taking special education and/or mainstreaming  
13 related courses and other educational priorities established by the local boards of  
14 education based on staff development goals or to ameliorate identified deficiencies. This  
15 allocation may be used by local school districts to defray the costs for teachers seeking  
16 application for National Board Certification from the National Board for Professional  
17 Teaching Standards.

18 Reimbursement for tuition may be made for courses taken during summer  
19 school or during the academic year for which a passing grade of B or better is obtained.  
20 No reimbursement shall be in excess of the tuition charged a Delaware resident taking a  
21 course with an equal number of credit hours at the University of Delaware. Of the total  
22 allocation made by Department of Education, a minimum of .75 percent shall be  
23 allocated to state agencies and the balance shall be allocated to school districts in  
24 amounts equal to each school district's proportion of Division I units to the total number  
25 of Division I units statewide on September 30, 2003. Any funds not expended by a  
26 school district or a state agency shall be transferred to other districts or agencies. In the  
27 event that any district's allocation is not sufficient to provide total reimbursement to all

1 eligible employees, the district shall pro-rate the funds so that each eligible employee  
2 receives a share of the total district allocation equal to the individual employee's  
3 reimbursable expenditure divided by the total reimbursable expenditure of all employees  
4 in the district multiplied by the district allocation. Funding for each school district shall  
5 be divided into two equal parts. The first one-half shall be prorated as described above  
6 among eligible employees who complete their courses prior to February 1, 2004. The  
7 second one-half shall be prorated as described above among eligible employees who  
8 complete their courses prior to June 15, 2004. In the event that funds remain in either  
9 half year, the district shall be authorized to reallocate those funds to reimburse eligible  
10 employees in the other portion of the year who did not receive full reimbursement. This  
11 section shall supersede collective bargaining agreements to the contrary.

12 (6) \$628.4 for the Teacher to Teacher Instructional Cadre which provides for the purchase of  
13 release time of exemplary teachers in the content areas in which the State Board of  
14 Education has adopted content standards, who will provide assistance to districts on a  
15 statewide basis in designing, demonstrating and implementing best teaching practices in  
16 the development of curriculum to meet the established standards. The Department of  
17 Education is authorized to transfer 50 percent of the estimated district grant amount by  
18 July 30 of the fiscal year. The remaining 50 percent shall be transferred within 30 days  
19 of the final approval of the district application for funding.

20 (7) \$759.4 for the Summer School for Teachers Program. Of this appropriation, \$590.3  
21 will be allocated to the University of Delaware and \$169.1 to Delaware State  
22 University to fund summer programs for the professional development of teachers. It is  
23 intended that curriculum of the summer classes offered through this program, to  
24 teachers and aides, be consistent with the curriculum standards which are currently  
25 under development or have previously been adopted by the State Board of Education.  
26 Both the University of Delaware and Delaware State University shall incorporate into  
27 their Summer School for Teachers course structure, the appropriate and necessary

1 elements that will enable participants to develop relevant classroom curriculum as well  
2 as to gain additional exposure to best teaching practices in the standardized content  
3 areas. The Department of Education shall continue to make staff available to assist each  
4 institution in the preparation of the summer coursework. Future budget requests for  
5 this program will be made by the Department of Education in their annual budget  
6 request, following consultation with the University of Delaware and Delaware State  
7 University.

8 (8) \$150.0 for the Delaware Center for Teacher Education to support professional and  
9 curriculum development activities in the content areas of reading and social studies.  
10 The Department of Education shall determine, in coordination with the agency (or  
11 agencies) performing such activities, the training goals and objectives, including how  
12 the objectives of Standards and Assessment will be furthered. The Department of  
13 Education, Controller General and Budget Director shall ensure that the proposed  
14 development activities are cost efficient and meet the objectives outlined in this section  
15 before agreeing to transfer the appropriation from the Department of Education to the  
16 operating agency.

17 (9) \$100.0 for Delaware Academy of School Leadership activities. The Department of  
18 Education shall determine, in coordination with the agency (or agencies) operating this  
19 program, the goals and objectives of this program, including how it will further the  
20 objectives of Standards and Assessment. The Department of Education, Controller  
21 General and Budget Director shall ensure that the proposed program is cost efficient and  
22 meets the objectives outlined in this section before agreeing to transfer the appropriation  
23 from the Department of Education to the operating agency.

24 (10) \$1,002.5 for Reading Cadre. This appropriation will provide each local school district,  
25 excluding charter schools, with the state share of salaries in accordance with 14 Del. C.  
26 § 1305 for one 11-month Reading Specialist. The purpose of this Specialist will be the  
27 creation of a Reading to Reading Cadre which will provide assistance to districts in

1 designing, demonstrating and implementing best practices in reading instruction. Such  
2 position shall be responsible for curriculum alignment and professional development in  
3 reading for district educators.

4 (11) \$20.8 for National Teacher Certification Program. This appropriation is to be used by  
5 the Department of Education for administrative costs during the coordination of teachers  
6 seeking national certification from the National Board for Professional Teaching  
7 Standards (NBPTS). Recognizing the effort involved in pursuing such certification as  
8 well as the value it will bring to Delaware teachers and students, a NBPTS certification  
9 obtained under this program by an individual paid under 14 Del. C. §1305, excluding  
10 superintendents, assistant superintendents, directors, and individuals employed in non-  
11 instructional areas detailed in Section 1312(c), and employees at the Department of  
12 Education shall result in a salary supplement as specified in 14 Del. C. §1305 (m). The  
13 salary supplement shall be based upon the 10-month base state salary scale for teachers.  
14 The Department of Education shall report annually to the Budget Director and  
15 Controller General the number of NBPTS certificates obtained under this program. The  
16 NBPTS salary supplement shall be valid for a period not to exceed ten years.

17 (12) \$50.0 for Paraprofessional Training. Such funds shall be utilized by the Department of  
18 Education to design a program for implementation of a career pathway for school  
19 district paraprofessionals at Delaware Technical and Community College.

20 (b) Any funds remaining subsequent to these allocations may be disbursed at the discretion of the  
21 Department of Education for professional accountability and instructional advancement activities.

22 Section 278. Section 1 of this Act makes an appropriation to Public Education, Block Grant and  
23 Pass Through Programs, Academic Excellence Block Grant (95-03-10). Of the amount appropriated,  
24 \$25,522.2 shall be used to fund units for academic excellence in the school districts in accordance with 14  
25 Del. C. § 1716. The balance of \$4,595.7 shall be allocated to school districts in proportion to the number  
26 of Division I Units each district enrolls on the last school day in September. School districts may use the  
27 funds to: purchase computer hardware, software or services; calculators; library resources; fund

1 homebound instruction costs; provide substitute teachers; provide additional nurses so long as the district  
2 is entitled to less than one nurse per school; provide a student work-study program; provide conflict  
3 resolution training; provide extended day or extended year programs for students performing below the  
4 standard level; and provide stipends for professionals engaged in curriculum or professional development  
5 activities sponsored by a local school district or the Department of Education, outside of the regular  
6 school day. School districts may form consortia, utilizing homebound funds, to purchase or provide  
7 services. No homebound funds may be spent to provide services to students who have been suspended or  
8 expelled from school, except for special education students. The State Board of Education shall provide  
9 an annual summary of school district plans for use of Academic Excellence funds to the Budget Director  
10 and Controller General no later than December 1 of each year.

11 Section 279. For the fiscal year beginning July 1, 2003, any local school district that has had two  
12 consecutive failed current expense tax referendums during the time period July 1, 2001 to January 1,  
13 2004, is authorized to exercise the cash option on Academic Excellence units up to the total number of  
14 units provided under that program. This provision will apply for Fiscal Year 2004 only. In addition,  
15 districts meeting this criteria are authorized to utilize funds derived from this cash option to pay local  
16 salary supplements. Any district that has had a successful current expense tax referendum subsequent to  
17 two consecutive failed current expense tax referendums is ineligible for the provisions of this section.

18 Section 280. Section 1 of this Act provides an appropriation of \$9.6 to Public Education, Block  
19 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Nature Society. It  
20 is the intent that this money be used to provide summer programs including an eighth grade program in  
21 environmental heritage.

22 Section 281. Section 1 of this Act provides an appropriation of \$242.2 to Public Education,  
23 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the READ-ALoud  
24 Delaware Program. READ-ALoud Delaware is to continue to develop and foster programs for the  
25 purpose of encouraging regular reading to preschool-aged children as an effective way to prepare them  
26 for learning. The monies passed through to READ-ALoud Delaware shall be used to provide programs  
27 in each county, focused on the more disadvantaged segment of the population of preschool-aged children.

1        Section 282. Section 1 of this Act provides an appropriation of \$94.3 to Public Education, Block  
2 Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for Advanced Studies. The  
3 Department of Education shall transfer this appropriation to the University of Delaware to help fund a  
4 summer school program, for college credit, for gifted and talented students.

5        Section 283. Section 1 of this Act provides an appropriation of \$132.4 to Public Education,  
6 Block Grants and Pass Through Programs, K-12 Pass Throughs (95-03-15) for the Delaware Institute  
7 for Arts in Education. Of this appropriation, \$24.2 shall be used to implement a new Wolftrap  
8 program. The Department of Education shall transfer this appropriation to the University of Delaware,  
9 which acts as the fiscal agent for this statewide program.

10       Section 284. Section 1 of this Act provides an appropriation of \$195.2 to Public Education  
11 Block Grants and Pass-Through Programs, K-12 Pass Throughs (95-03-15) for the Center for  
12 Economic Education. Of this amount, \$29.1 is appropriated to develop a pilot program to test a  
13 professional development model for systematically training teachers in content and pedagogy and  
14 provide them with ongoing support in the classroom.

15       Section 285. In order that the children for whom the learning disability and socially or  
16 emotionally maladjusted units were devised shall be the sole beneficiaries of all funds available for such  
17 children, the Department of Education shall require strict adherence to approved guidelines before release  
18 of any funds designated for such children. The Department of Education shall particularly ascertain that  
19 no educable mentally handicapped are being classified as learning disabled; and that strict guidelines are  
20 developed to determine eligibility of socially or emotionally maladjusted children so that this category  
21 does not become a catch-all for low-achieving, unmotivated or disruptive pupils without serious  
22 physiological or neurological disorders. All pupils classified learning disabled or socially or emotionally  
23 maladjusted must be reevaluated at least every two years, except psychological evaluation shall be made  
24 at least every three years. The Department of Education will report annually to the Budget Director and  
25 Controller General on or before April 1 on the actions and results of actions required by this section.

26       Section 286. Section 1 of this Act makes an ASF appropriation to Public Education, Block  
27 Grants and Pass Through Programs, Special Needs Programs (95-03-20) for the Children's Services

1 Cost Recovery Project (CSCRCP). All local school districts shall fully participate in the implementation  
2 and operation of the project for the fiscal year ending June 30. Local school district participation shall  
3 be on a district-wide basis.

4 The following resources are appropriated to operate the Children's Services Cost Recovery  
5 Project during the fiscal year ending June 30. No appropriation is made for the purchase of additional  
6 state-owned vehicles pursuant to this section. The appropriated funds for supplies and in-state travel  
7 which, pursuant to this section, are passed through to the local school district shall be dedicated to  
8 implementing the Children's Services Cost Recovery Project.

9 In addition, 14.0 FTEs staff positions are appropriated to support this project: 2.0 FTEs shall be  
10 located at the Department of Education. The Department of Education is hereby permitted to authorize  
11 the hiring of up to 12.0 FTEs in the local school districts for the sole purpose of implementing this  
12 section. The 12.0 FTEs in the local school districts shall be paid in accordance with the Financial  
13 Secretary Salary Schedules 1308 and 1309 including the local salary supplement in place at the  
14 employing school districts. At the discretion of the Department of Education, 1.0 FTE may be paid in  
15 accordance with the Administrative Secretary Salary Schedules as defined in 14 Del. C. § 1308 and  
16 § 1309, including the local salary supplement in place at the employing local school district.

17 All revenue generated through the cost recovery project from local school district sources will,  
18 after the deduction of all operational project costs, be divided between the State General Fund and the  
19 local school district's operating funds in a proportion that equals the original sharing of expenses. Any  
20 funds returned to a local school district that were generated through recovery on non-transportation  
21 services provided by a tuition-based special school must be made available to the special school for  
22 expenditure at the special school.

23 Audit exceptions, including any penalties and fees, will be covered from drawdowns on future  
24 recoveries on a similar basis as indicated above.

25 Section 287. For the purpose of participating in the Children's Services Cost Recovery Project,  
26 provisions of the Delaware Code to the contrary notwithstanding, school psychologists certified or  
27 otherwise licensed by the State Board of Education in accordance with the provisions 14 Del. C. §

1 1092, shall be considered in compliance with qualification standards equivalent to state licensure to  
2 practice psychology as set forth in 24 Del. C. § 3508. Such equivalent state licensure status shall be  
3 limited to the delivery of services related to State Board of Education or local school district approved  
4 school programs conducted within the course of the regular school day at a State Board of Education or  
5 local school district approved school site or least restrictive environment location. The provisions of  
6 this section shall in no way be construed as entitling a person not otherwise qualified to do so to  
7 represent himself to the public by any title or description of services incorporating the words  
8 "psychology," "psychological," and/or "psychologist" within the meaning of 24 Del. C. § 3502, except  
9 as may be herein specifically provided.

10 Section 288. The Interagency Resource Management Committee (IRMC) fosters an interagency  
11 approach in coordinating the delivery of early care and education services in Delaware, and the  
12 establishment and operation of the Office of Early Childhood.

13 The IRMC will coordinate the implementation of the recommendations of the October 1999  
14 report: "Early Success: Creating a Quality Early Care and Education System for Delaware's Children",  
15 where feasible, and, if applicable, subject to an annual appropriation. The IRMC shall report to the  
16 Governor, President Pro-Tempore of the Senate, and the Speaker of the House on April 15 of each fiscal  
17 year. Each report shall include:

- 18 1. A summary of IRMC experiences in attempting to accomplish its purposes as stated above; and,
- 19 2. A recommendation of the IRMC whether and how to institutionalize its activities and functions.

20 The IRMC may, at its discretion, apply for grant funds that will further any of the purposes of this  
21 section.

22 The Budget Director and Controller General are hereby authorized to transfer funds among the  
23 budgets of the departments represented on the IRMC if there is prior agreement by the secretary of the  
24 department, as the case may be, to which the funds were previously allocated. Such transfers shall be  
25 intended to further the purposes of this section. The IRMC shall be staffed by the Office of Early  
26 Childhood in the Department of Education. Such Office shall be composed of a director, an assistant  
27 director and a clerical support position. Funding shall be provided by the Department of Health and



1 Social Services and the Department of Services for Children, Youth and Their Families no later than July  
2 of each fiscal year to support the operational costs associated with the assistant director and clerical  
3 support positions. Funds allocated in this section are to be used to support the work of the Office and to  
4 continue the interagency evaluation process for Delaware's early childhood programs.

5 Section 289. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
6 Pass Through Programs, Special Needs Programs (95-03-20) for the Student Discipline Program.

7 (a) A total of \$3,420.0 is allocated for the statewide implementation of programs for severe  
8 discipline cases. Of that amount, a total of \$2,400.0 will be allocated to the three counties in the  
9 following manner: 50 percent to New Castle County, 25 percent to Kent County and 25 percent to Sussex  
10 County. Of the \$2,400.0, \$150.0 in New Castle County and \$75.0 in both Kent and Sussex counties must  
11 be utilized for transitional services. A total of \$1,020.0 will be disbursed on a competitive basis among  
12 the existing school district consortiums or to individual school districts. Of the \$1,020.0, \$820.0 will be  
13 utilized for improvement of academic programs and \$200.0 will be utilized for extended year  
14 opportunities. If funds provided under this section are used for costs associated with teachers and aides,  
15 as provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.  
16 Programs receiving funds under this section may utilize no more than \$200.0 in total from Pupil  
17 Transportation (95-04-01) for transportation expenses.

18 (b) A total of \$7,519.3 is authorized for disruptive students at the school and district levels. The  
19 base incentive grants shall be provided to all school districts in the State as follows:

20 Schools grades K-6: \$30.0

21 Schools grades 7-12: \$40.0

22 If funds provided under this section are used for costs associated with teachers and aides, as  
23 provided for in 14 Del. C. § 1305, the funds can only be used for costs associated with the state share.

24 Under 14 Del. C. § 16, local school districts are eligible to receive a supplemental grant, equal to  
25 double the base award, for grades 7, 8, 9 and 10, upon approval of the Department of Education and  
26 certification in the district's grant application that the school is in compliance with the provisions of the  
27 Delaware Code requiring the establishment of school site-based committees to govern discipline matters.

1 Districts may allocate these funds among their schools in an amount other than indicated by the  
2 funding allocation formula. The allocations by school shall be specified in the consolidated application.  
3 Furthermore, the consolidated application shall contain an assurance indicating the local school board has  
4 reviewed and approved the application.

5 Each school shall receive no less than the amount received in the fiscal year ending June 30. In  
6 order to provide districts with grants in a timely manner, all applications for base grants must be  
7 submitted for review by the Department of Education no later than November 15 of each year.

8 (c) For the purpose of facilitating the continuation of services, districts receiving an allocation  
9 under the provisions of subsections (a) and (b) of this section, may receive 50 percent of the prior year's  
10 base grant allocation at the outset of each fiscal year. These districts are required to present program  
11 proposals to the Department of Education no later than November 15 each year. Upon Department of  
12 Education approval, adjustments to program allocations will be made.

13 (d) The Department of Education shall determine common data definitions and data collection  
14 methodologies for each program in this section. Districts shall use such definitions and methodologies  
15 and shall provide information as requested by the Department of Education. This information shall  
16 include but not be limited to the following: the number of students served, reasons for service, measures  
17 of behavioral improvement, measures of academic improvement as appropriate, rates of recidivism within  
18 programs, and number and types of referrals for additional services. The Department of Education shall  
19 prepare a statewide management report to identify needs for program improvement and best practice.

20 (e) A total of \$3,290.2 is authorized for prevention components administered by the Department  
21 of Education and the Department of Services for Children, Youth and Their Families. Funding shall be  
22 provided as follows:

23 (i) \$3,290.2 to provide early intervention services through the Department of Services for  
24 Children, Youth and Their Families, Family Crisis Therapist Program. Services are  
25 intended for grades K-3 and shall address but not be limited to, problems such as Early  
26 Onset Conduct Disorder. The Department of Services for Children, Youth and Their  
27 Families may enter into contractual agreements, may employ casual/seasonal personnel, or

1 may create the necessary positions with the approval of the Delaware State Clearinghouse  
2 Committee and maintain an ASF or NSF account with sufficient spending authority to  
3 operate the program.

4 (ii) For purposes of implementing (i) above, the Department of Education and the Department  
5 of Services for Children, Youth and Their Families shall administer a competitive Request  
6 for Proposal (RFP) process to determine grant awards to local districts. Grant awards shall  
7 be for a period of 12 months. Factors that may be utilized in the evaluation of proposals  
8 can be, but are not limited to, the following: links to Part II discipline funding or other  
9 district resources; the use of collaborative partnerships; the relative need of the local  
10 school district community; and the recognition within a proposal of the need to provide  
11 services to meet the presenting problems of both the child and the family. To the extent  
12 possible, the Department of Services for Children, Youth and Their Families is authorized  
13 to pursue Medicaid cost recovery for eligible services provided to Medicaid eligible  
14 children. Funds resulting from these efforts may be used to expand these services with  
15 prior approval of the Budget Director and Controller General.

16 Section 290. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
17 and Pass Through Programs, Special Needs Programs, Unique Alternatives (95-03-20). Funds may only  
18 be allocated to the Sussex ICT to provide direct services and supports to interagency students that would  
19 be referred to the ICT. The local share of payment shall continue to be subject to the same criteria as all  
20 other ICT decisions. This authorization is based on the signed Memorandum of Agreement between the  
21 school districts and other ICT agencies.

22 Section 291. Any placement made pursuant to 14 Del. C. § 3124 in which the individual  
23 involved is a ward of the State shall be funded fully from the State appropriation made for this purpose.

24 Section 292. Section 1 of this Act provides an appropriation to Public Education, Block Grants  
25 and Pass Through Programs, Special Needs Programs (95-03-20) for Exceptional Student Unit -  
26 Vocational. This appropriation shall be used to continue the program of vocational education for  
27 handicapped students. The funds appropriated shall provide for Divisions I, II, and III funding for a

maximum of six units in a single program. The unit shall be based upon 13,500 pupil minutes per week of instruction or major fraction thereof after the first full unit and shall be in addition to the funding otherwise provided under 14 Del. C. § 1703(d).

Section 293. (a) Section 1 of this Act provides an appropriation to Public Education, Block Grant and Pass Through Programs, Special Needs Program (95-03-20) for Extra Time for Students in Grades K-12. This allocation shall be used exclusively to provide extra instructional time for low achieving students in order that they may improve their academic performance in the four primary content areas (Mathematics, Science, English Language Arts, and Social Studies) as measured against the state standards of such subjects. The only exceptions to this requirement are that up to 15 percent of a district's allocation may be used for Extended School Year (ESY) requirements, pursuant to the Administrative Manual for Exceptional Children (AMPEC) and up to 10 percent of a district's allocation may be used to provide services to Limited English Proficient (LEP) students. Of the amount set aside for LEP services, up to 50 percent may be used within the normal school day provided the services are in the form of specialized instruction designed to help LEP students succeed in regular classroom settings. Of the amount appropriated, \$400.0 may be used for the Early Intervention Reading Program as specified in this section. The Department of Education is authorized to transfer 50 percent of the estimated district grant amount by July 30. The remaining amount shall be transferred within 30 days of the final approval of the district application for funding.

(b) The following criteria shall apply to each of the components of the Extra Time for Students Program.

(1) In order to qualify for an allocation, each district shall submit an application to the Department of Education as part of the districts' consolidated application. The application must show evidence of building level staff involvement in the development of the district proposal.

(2) The application provided to the Department of Education shall indicate the student populations to be served, the type of program(s) proposed, the levels of academic improvement the additional services are intended to achieve, and the measurement and/or

1 evaluation process the district will use to determine program effectiveness. Associated  
2 transportation costs shall also be included in the district application.

3 (3) Funding for this component shall only be used for academic instruction or remediation  
4 programs that are offered to a targeted population of low achieving students. Should  
5 funds be used during the regularly scheduled six and one half hour school day, said funds  
6 must be used to hire additional instructional staff to provide additional instruction or  
7 remediation to the targeted population in one of the four core curriculum areas. Prior to  
8 the expenditure of funds during the regular school day, districts must obtain the approval  
9 of the Secretary of Education, Budget Director and Controller General and must certify to  
10 the Secretary of Education, Budget Director and Controller General that sufficient  
11 resources remain to operate the mandated summer school program. The Department of  
12 Education shall promote the use of “Best Practices” in this area through all available  
13 means.

14 (4) Funds appropriated pursuant to this section may not be used for curriculum development  
15 or staff training functions, but may be used for the purchase of supplies and materials  
16 necessary to operate extra time programs. To the extent that these funds are used to pay  
17 salary expenses of district instructional staff, these funds may only be used for costs  
18 associated with the state share of salaries, as provided under 14 Del. C. § 1305.

19 (5) In order to maximize resources provided under this program, local school districts are  
20 encouraged to match their allocation, on a 70/30 state/local basis pursuant to the  
21 provisions of 14 Del C. § 1902(b).

22 (6) Local school districts may use funds appropriated pursuant to this section to contract with  
23 private or non-profit instruction or tutoring services provided that there is evidence of  
24 building level conversations regarding contracted services.

25 (7) If, after the applications are received by the Department of Education, a local district does  
26 not choose to utilize the full amount to which they are entitled, the Department of  
27 Education may allocate any remaining amount through a competitive RFP process.

1 (c) The following criteria shall apply to the component of the program that serves students in any  
2 grade levels:

3 (1) Allocations for this component shall be provided in proportion to the total Division I  
4 units in each school district, multiplied by the state portion of the average teacher salary  
5 in the district in the immediately preceding fiscal year.

6 (d) The following criteria shall apply to the Early Intervention Reading Program for which  
7 \$400.0 is to be utilized.

8 (1) This funding shall serve students in kindergarten through third grade who are identified  
9 during their kindergarten and first grade years as being inadequately prepared to succeed  
10 in reading or are performing below grade level.

11 (2) This funding shall be utilized exclusively to provide supplemental services or teaching  
12 methods designed to improve the reading abilities of students with the goal being that  
13 they achieve and maintain their appropriate grade level reading ability. These services  
14 shall utilize intensive systematic multi-sensory phonics as the instructional methodology.  
15 The school districts are strongly encouraged to use programs including, but not limited  
16 to, Reading Assist and other research based multi-sensory programs.

17 (3) The funding for this component may provide services outside of the normal school  
18 operation timeframe as specified in subsections (c) and (d) of this section, or may be used  
19 during the regular school day, provided however that the services being offered are  
20 supplemental to the reading instruction the student would otherwise normally receive.

21 (e) The Department of Education shall determine common data definitions and data collection  
22 methodologies for each program in this section. Districts shall use such definitions and methodologies  
23 and shall provide information as requested by the Department of Education. This information shall  
24 include but not be limited to the following: state identification number for each student served, total  
25 number of program contact hours per student, content area(s) addressed, and evidence of academic  
26 improvement. The Department of Education shall prepare a statewide management report to identify  
27 needs for program improvement and best practice.

1        Section 294. Section 1 of this Act appropriates 33.7 FTEs, of which up to 4.0 shall be authorized  
2 as teachers/supervisors, 25.7 authorized as teachers, 3.0 authorized as secretaries for the Department of  
3 Education, and 1.0 education associate to implement the Prison Education Program. The qualification of  
4 employees for the prison education program shall be the same as the qualification for employees in the  
5 public high schools. Teachers/supervisors shall have teaching responsibilities as defined by job  
6 responsibilities and duties developed by the Department of Education.

7        Salary for employees in the prison education program when paid from funds of this State, shall be  
8 in accordance with the regularly adopted salary schedules set forth in 14 Del. C. c. 13. The salary so  
9 computed shall be divided by .7 for ten months employment. If employed on an 11 or 12 month basis, the  
10 ten month amount shall be multiplied by 1.1 or 1.2 respectively. Employees whose primary job location  
11 is onsite within the institution shall also receive hazardous duty supplements as provided in the Merit  
12 System. Teachers/supervisors shall receive an administrative supplement of four to eight percent to be  
13 determined by the Department of Education with the approval of the co-chairs of the Joint Finance  
14 Committee.

15        Students served under this program shall not be included in the calculation for unit count  
16 purposes as defined in 14 Del. C. c. 17. The Budget Director and Controller General may transfer funds  
17 between lines and departments to pay for this program.

18        Section 295. Any provisions of the Delaware Code to the contrary notwithstanding, the  
19 Department of Education is authorized and directed to provide aides for the purpose of providing  
20 mainstreaming services to deaf students as follows: three in Capital School District, two in Cape  
21 Henlopen School District, one in Seaford School District, and one in Milford School District.

22        Section 296. Section 1 of this Act makes an appropriation to Public Education, Block Grants and  
23 Pass Through Programs, Special Needs Programs (95-03-20), for Tech Prep 2+2. A Delaware Tech Prep  
24 Consortium is formed to provide for overall program development and management, coordination and  
25 technical assistance. The Consortium will review and provide technical assistance and in-service training  
26 for each proposal submitted to the Department of Education by any partnership initiating or operating a

1 Tech Prep Program. The Consortium will adopt rules and regulations consistent with state regulations  
2 and federal legislation.

3 The Consortium Board of Directors shall include: the President or designee of the Delaware  
4 Technical and Community College; the Superintendents of New Castle County Vocational-Technical  
5 School District, Polytech School District and the Sussex County Technical School District; the State  
6 Director of Vocational Education, Department of Education, (Ex-Officio); the Executive Director of  
7 Delaware Advisory Council on Career and Vocational Education; President or designee, Delaware  
8 State University and Wilmington College and one representative of business and industry. The  
9 superintendent or designee of two comprehensive local school districts will also be appointed  
10 consistent with the rules and regulations of the Consortium. Programs will be conducted in all three  
11 counties, on all campuses of Delaware Technical and Community College and other postsecondary  
12 institutions as specified by the Consortium consistent with federal legislation. All secondary schools  
13 are eligible.

14 Polytech School District will act as financial agent for the Consortium and an annual financial  
15 and program report will be submitted to the co-chairs of the Joint Finance Committee.

16 The Consortium may select another member to serve as the financial agent in a subsequent year  
17 consistent with the rules and procedures it adopts.

18 Section 297. Section 1 of this Act appropriates \$200.0 to Public Education, Block Grants and  
19 Pass Through Programs, Special Needs Programs (95-03-20) for Innovative After School Initiatives.  
20 Such funds shall be utilized to develop innovative after school programs to provide additional academic  
21 support and enrichment for students. Funding shall provide approximately six to ten pilot programs  
22 statewide, targeting grades five through ten and are encouraged to be delivered in partnership with private  
23 businesses. The Department of Education shall administer a competitive grant process focused on the  
24 following: tutoring academic areas of need for students at-risk of failing and/or not meeting the Delaware  
25 content standards; enrichment programs incorporating both traditional and non-traditional approaches;  
26 and outreach to parents, especially those who are reluctant to interact with schools.



1           Section 298. Section 1 of this Act makes an appropriation to the State Board of Education, Block  
2 Grants and Pass Through Programs, Special Needs Program (95-03-20). Of the amount appropriated,  
3 \$1,000.0 shall be used to provide services to Limited English Proficient (LEP) students.

4           The Department of Education shall administer an application process to determine grant awards  
5 to local districts.

6           If funds provided under this section are used for costs associated with teachers and aides, funds  
7 can only be used for costs associated with the state share as provided in 14 Del. C. § 1305 and § 1324.

8           Section 299. Section 1 of this Act appropriates \$2,729.2 to Public Education, Block Grants and  
9 Pass Through Programs, Special Needs Programs for Reading Resource Teachers. The Department of  
10 Education is authorized to provide Reading Resource Teachers to elementary schools based upon  
11 demonstrated need. Demonstrated need shall be determined by the largest percentage of third and/or  
12 fifth-grade students scoring below the standard on the reading component of the 2000 DSTP. This  
13 funding shall provide one Reading Resource Teacher to the 50 schools with the highest percentage of  
14 third and/or fifth-grade students scoring below the standard on the reading component of the 2000 DSTP.  
15 Reading Resource Teachers shall provide direct reading instruction to students which must include  
16 explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading  
17 fluency and reading comprehension strategies. Reading Resource Teachers shall work with the Reading  
18 Cadre to ensure that appropriate reading activities and support are embedded in all curricular areas.  
19 Reading Resource Teachers shall have a documented background in reading and/or be a teacher with  
20 documented classroom success in teaching reading.

21           This appropriation will provide qualifying schools within districts the state share of salaries in  
22 accordance with 14 Del. C. §1305 for 10-month Reading Resource Teachers, as well as the appropriate  
23 per unit amount of Division III funding. In order to maximize resources provided under this program  
24 local school districts are encouraged to match this funding on a 70/30 state/local basis pursuant to the  
25 provisions of 14 Del. C. §1902(b).

26           Section 300. (a) Section 1 of this Act provides an appropriation of \$3,000.0 to Public Education,  
27 Pupil Transportation (95-04-01) for Non-Public School Transportation Reimbursements. This

1 appropriation shall be allocated for qualifying non-public, non-profit schools, based on the procedure  
2 adopted by the Joint Finance Committee on April 16, 1981.

3 (b) Transportation funds for public school districts during the fiscal year ending June 30, 2004,  
4 shall be allocated and shall not exceed \$56,469.5 (of which \$4,214.3 is designated as a transportation  
5 contingency for the Charter and Choice initiatives), according to bus contract or district transportation  
6 formula, as adopted by the State Board of Education on July 23, 1987, subject to the following  
7 amendments and procedural modifications:

8 (1) The per gallon price used to calculate the gasoline allowance shall be based on the state  
9 contract bid price for unleaded gasoline plus \$.07 per gallon for districts and plus \$.28  
10 per gallon for contractors. For districts and contractors north of the Chesapeake and  
11 Delaware Canal, the per gallon price shall be based on delivery to a large-sized tank  
12 (5,000 or more gallons). In the case of contractors located south of the Chesapeake and  
13 Delaware Canal, the per gallon price shall be based on delivery to a small-sized tank (275  
14 - 1,900 gallons). Upon determination by the Department of Education that a contractor  
15 located North of the Chesapeake and Delaware Canal and operating five or fewer buses  
16 does not have existing storage capacity in the large tank range, the per gallon price shall  
17 be based on the smaller tank size.

18 (2) The Fiscal Year 2004 operating allowance will be adjusted for inflation by a rate of 0.67  
19 percent.

20 (3) For the fiscal year ending June 30, 2004, the allowable cost of a new bus purchased by  
21 a contractor shall be the Fiscal Year 2003 state bid price for new buses minus two  
22 percent for salvage value, plus eleven percent to account for dealer charges and profits  
23 not reflected in the state bid price due to the higher number of buses being purchased  
24 and the lag time between the ordering and delivery. The Department of Education  
25 shall continue to utilize the procedures developed in Fiscal Year 1989 for determining  
26 the allowable cost for any size bus that it did not bid in Fiscal Year 2003. In addition  
27 to the procedure for establishing the allowable cost of a new bus specified above, the

1 Department of Education is requested to structure its bids for buses in the fiscal year  
2 ending June 30, 2004, in such a manner that public school bus contractors will be  
3 permitted to purchase buses from the successful lower bidder at the same price as the  
4 State of Delaware. If a contractor elects to purchase a bus at the bid price, the lowest  
5 base bid of an awarded contract minus two percent for salvage value will be the  
6 allowable cost in subsequent reimbursements to the contractor.

7 (4) The formula rate for reimbursing public school bus contractors for the cost of liability  
8 insurance shall be determined by the Department of Education in consultation with the  
9 Insurance Commissioner based on the data available on April 30 of the previous fiscal  
10 year.

11 (c) The Department of Education shall amend its transportation formula to permit replacement of  
12 a vehicle which has operated 100,000 school-related miles and is seven model-years old or a vehicle  
13 which has operated 150,000 school-related miles regardless of the age of the vehicle.

14 (d) The Department of Education is authorized to amend its formula to allow the purchase of  
15 diesel-powered buses as the minimum standard in those sizes where gasoline-powered buses are no longer  
16 available.

17 (e) Except as specified in this section, or for changes in the price of gasoline, or for the  
18 adjustments of those items changed by state or federal laws, the Department of Education shall not  
19 change the transportation formula unless the change has been authorized by the General Assembly and  
20 an appropriation therefore has been made by the General Assembly.

21 (f) The Department of Education is authorized to amend its formula such that automatic  
22 transmission shall be considered standard equipment on contractor and school district bus purchases.

23 (g) The Department of Education is authorized to amend its transportation formula to change the  
24 miles-per-gallon allotment for 66/72 passenger diesel buses from 9.1 miles-per-gallon to 6.7 miles-per-  
25 gallon.

26 (h) Of the appropriation allocated for public school districts, \$96.0 is allocated to purchase a  
27 maximum of twelve air conditioned buses to transport special need students. The Department of

1 Education is authorized to amend its formula to allow the purchase of air conditioned buses which may be  
2 required to transport special education students that have a medical need for air conditioning (specified by  
3 a physician), and that go to a special education school.

4 Section 301. Notwithstanding the provisions of 14 Del. C. § 511 and rules and regulations of the  
5 Department of Education, modifications requested by charter schools associated with the provision of  
6 student transportation services as a result of changes made by this Act to 14 Del. C. § 508 shall be  
7 considered a minor modification.

8 Section 302. Notwithstanding any other provisions of the Delaware Code or this Act to the  
9 contrary, the Department of Education is authorized to approve and provide funding for additional  
10 transportation routes necessary to support the Seaford School District's pilot implementation of a  
11 balanced calendar schedule, beginning in Fiscal Year 2003.

12 Section 303. (a) During the fiscal year, the Department of Education is hereby directed to  
13 provide bus transportation of public school students previously declared ineligible by the Unique Hazards  
14 Committee, including the following:

15 (1) Students attending the Stanton Middle School who are now forced to walk along  
16 Telegraph Road with a constant threat of injury.

17 (2) Students attending Mt. Pleasant High School who are now forced to walk along Marsh  
18 Road with a constant threat of injury.

19 (3) Students in the town of Seaford, living west of Conrail and north of the Nanticoke River,  
20 who attend the Seaford schools, grades K-6.

21 (4) Students attending Seaford Central Elementary who live in the area east of Conrail, north  
22 of the Nanticoke River, and west of Williams Pond, within the Seaford city limits.

23 (5) Students attending the Cab Calloway School of the Arts and Wilmington Charter School  
24 on Lancaster Avenue to Delaware Avenue in the north-south grid and on Jackson Street  
25 to duPont Street on the east-west grid.

26 (6) Students attending Newark High School who live in Windy Hills and are forced to walk  
27 along Kirkwood Highway with a constant threat of injury.

- (7) Students attending schools in Laurel living in the areas of Lakeside Manor, Route 24 east of Laurel town limits, Route 13A South of Laurel town limits and Dogwood Acres.
- (8) Students attending Delcastle Technical High School who live in Newport and are forced to walk along Centerville Road (Rt. 141) with a constant threat of injury.
- (9) Students attending Woodbridge Junior-Senior High School who must travel along Route 13A south of Bridgeville, and students living west of Bridgeville who must travel along Route 404 or Route 18.
- (10) Students attending Smyrna Middle School who reside in the Sunnyside Acres area between Sunnyside Road and U.S. 13 and who would otherwise be required to walk along U.S. 13 in order to reach school.
- (11) Students attending the Concord High School who live south of Naamans Road in the Talleybrook-Chalfonte, Brandywood, Brandon and Beacon Hill areas who must walk along Grubb and/or Naamans Road with a constant threat of injury.
- (12) Students attending the Laurel Elementary Schools in Grades K-6 who live in the Town of Laurel and the surrounding areas.
- (13) Students attending Dover High School who live in Old Sherwood, south of Waples Avenue.
- (14) Students attending the Mt. Pleasant Elementary School, who would be forced to walk along Bellevue Road.
- (15) Students attending the Mt. Pleasant Elementary School, who would be forced to cross over and/or walk along River Road between Lore and Bellevue.
- (16) Students attending the Douglas Kindergarten Center, who would be forced to walk along Route 2 (Union Street) or through Canby Park via the paths, with a constant threat of injury.
- (17) K-3 - New Todd Estates Development to Jeannie Smith - because of hazards of Route 4 at Pierson Drive intersection.

- (18) Children living in West Wilmington Manor who walk to Wilmington Manor Elementary School.
- (19) Woodbridge Elementary School students living in the town of Greenwood, west of the railroad tracks.
- (20) Woodbridge Jr./Sr. High School students living on Route 13A from Route 13 north of Bridgeville to Bridgeville north of town limits including streets with access to that part of Route 13A.
- (21) Talley Jr. High School students who reside in the Ashbourne Hills, Greentree, Stoney Brook areas, students who reside in the Woodacre Apartments and students who live along Peachtree Road.
- (22) Springer Middle School students residing in Eden Ridge III, Tavistock, Sharpley and Eden Ridge who must cross Concord Pike.
- (23) Sussex Central High School and Georgetown Elementary School students who live east of Bedford Street.
- (24) Lombardy Elementary School students who must cross Foulk Road.
- (25) Central Middle School students who reside in the vicinity of 1508 Dinahs Corner Road.
- (26) Students attending the Colwyck Elementary School who live in the Landers Park and Swanwyck Gardens residential areas.
- (27) Students attending Central Middle School, living in the area south of Kent General Hospital, to include students living along and south of Westview Terrace, Dover Street, Hope Street and Sackarackin Avenue.
- (28) Students of the Appoquinimink School District who reside in Odessa Heights.
- (29) Students attending Brandywine High School who live in Concord Manor and are forced to walk along Shellpot Drive and Windley Hill.
- (30) Students attending Clayton Elementary, North Elementary or the Bassett Middle School in the Smyrna School District who live on Buresch Drive.

1 (31) Notwithstanding the construction of any sidewalk or footpath along Grubb Road between  
2 Naamans Road and Marsh Road, any child currently receiving bus transportation by the  
3 Brandywine School district who lives along Grubb Road (between Naamans Road and  
4 Marsh Road) or lives in a neighborhood which enters directly onto Grubb Road (between  
5 Naamans Road and Marsh Road) shall continue to receive bus transportation to and from  
6 school.

7 (32) Students residing in Brookview Apartments and lower Ashbourne Hills who attend  
8 Darley Road Elementary School.

9 (33) Stanton Middle School students residing in Kiamensi Gardens, Kiamensi Heights and  
10 Westfield who must cross Limestone Road.

11 (34) Students attending Warner Elementary or Warner Kindergarten who also attend the  
12 Brandywine Day Care or the Strawberry Patch Neighborhood Centers.

13 (35) Students attending Brandywine Springs Elementary School who live along Newport Gap  
14 Pike.

15 The transportation of the students specified herein shall continue until the funds requested are  
16 appropriated and construction is completed. Spur routes shall continue to be served as at present.

17 Section 304. Notwithstanding the provisions of any state law to the contrary, the Red Clay  
18 Consolidated School District is authorized to utilize state transportation dollars to fund students traveling  
19 from routes to and from the Cab Calloway School of the Arts and Brandywine Springs Elementary  
20 School.

21 Section 305. During the fiscal year, the Department of Education will continue and broaden  
22 implementation of the computerized routing system for school bus transportation. During this  
23 implementation, the Department is directed to continue to provide bus transportation services to any  
24 residential area which has received transportation services since October 1, 1977.

25 Section 306. The National Highway Traffic Safety Administration (NHTSA) is conducting a  
26 research program to consider alternative methods of potentially improving federal school bus passenger  
27 crash protection requirements. Based upon NHTSA's report, the Department of Education will

1 recommend changes to the Delaware school bus specifications so that all school buses will continue to be  
2 in compliance with federal safety standards.

3 Section 307. During the fiscal year, the Department of Education is hereby directed that students  
4 attending the Woodbridge School District, who live in the Canterbury Apartments in Bridgeville, will  
5 embark and disembark in the parking lot of the apartment complex in lieu of the bus stop area along the  
6 heavily traveled U.S. 13.

7 Section 308. Section 1 of this Act provides an appropriation to Pupil Transportation (95-04-00)  
8 for Public School Transportation. Notwithstanding the provisions of 21 Del. C. § 4366, the following  
9 reimbursement methodology is in effect:

10 (a) For those school districts or private contractors who are operating school buses equipped with  
11 cellular phone technology or have no radio or telephonic communication equipment, the  
12 Department of Education is authorized to bring said districts and contractors under a State  
13 negotiated cellular phone contract such that the State shall pay one-half of the costs  
14 associated with the monthly connect charge, subject to the availability of funds.

15 (b) For those school districts or private contractors who are operating school buses equipped with  
16 radio equipment, the department is authorized to reimburse said districts or contractors one-  
17 half of the installation cost of the radio equipment on a one-time basis.

18 Section 309. The provisions of this Act to the contrary notwithstanding, consistent with the  
19 provisions of 14 Del. C. § 509(b), charter schools eligible to receive allocations from the Professional  
20 Accountability and Instructional Advancement fund, School-Based Student Discipline programs, Extra  
21 Time for Students and Minor Capital Improvements program will not be required to submit an application  
22 to the Department of Education. Any funds received as a result of the allocation of these programs may  
23 be used for current operations, Minor Capital Improvements, Debt Service payments or tuition payments.

24 Section 310. Section 1 of this Act makes an appropriation to the Delaware Higher Education  
25 Commission (95-08-01) for Scholarships and Grants. Of that amount, \$36.7 shall be used for the  
26 Herman M. Holloway, Sr. Scholarship Program per the provisions of 14 Del. C. c. 34; \$220.0 shall be  
27 used for the FAME Scholarship Program; \$30.0 shall be used for the MERIT Scholarship Program;



\$50.0 shall be used for the Professional Librarian/Archives Incentive Program; \$64.2 for the Charles L. Hebner Scholarship; and \$50.0 for Critical Teacher Scholarships. Any Herman M. Holloway Sr. Scholarship Program funds remaining after payment of the Holloway Scholarships, may be awarded to Delaware State University students with financial need who applied to the Scholarship Incentive Program.

Section 311. The Delaware Higher Education Commission (DHEC) in the initial award cycle of the SCIP program shall not exceed 120 percent of the annual SCIP appropriation. Funds unused in any given fiscal year may be carried over into a reserve account to be utilized for SCIP awards in the subsequent year with approval of the Department of Education.

Section 312. Notwithstanding any other provision to the contrary, effective July 1, 2004, the Department of Education shall implement a staff integration plan for the Delaware Higher Education Commission. For the fiscal year, in accordance with policies and procedures agreed upon by the Joint Finance Committee, Budget Director and Controller General the following position numbers and corresponding salaries shall be in effect:

#00052383	Accountant I	\$30,626
#00056437	Higher Education Analyst	\$44,521
#00069720	Higher Education Analyst	\$42,938
#00081644	Data Analyst	Vacant
#00052384	Administrative Management	\$54,759
#00052382	Administrative Assistant I	\$27,203
#00052395	Appointed Official	Salary set pursuant to Section 10 of this Act

Upon vacancy of any of the positions listed above, the Department of Education shall review said vacant position with respect to current responsibilities and salary classification and shall submit any recommended changes to the Budget Director and Controller General for approval.

Section 313. Section 1 of this Act makes an appropriation of \$100.0 to the Delaware Higher Education Commission (95-08-01) for the National Board Certification Loan Program. DHEC shall

1 administer a non-competitive loan program for educators pursuing certification from National Board for  
2 Professional Teaching Standards. Loans shall be made to cover costs associated with the application fee  
3 and assessment process. If there are more individuals requesting funds than funds appropriated, DHEC  
4 shall prorate the loans provided. Loans shall be interest-free as long as funds are repaid within two years  
5 of achieving National Board Certification or within three years from the start of the program whether the  
6 borrower is successful or not. If the loan repayment is not fulfilled within the aforementioned terms, the  
7 borrower must repay all funds received with interest as determined by the Delaware Higher Education  
8 Commission. Funds in this account shall be interest bearing. Delaware Higher Education Commission is  
9 authorized to use up to \$10.0 annually from the Loan Program to offset operational costs.

10 Section 314. The Delaware Higher Education Commission is hereby authorized to use up to  
11 \$25.0 of the interest income from the Michael C. Ferguson Achievement Award to support the  
12 recognition of students who are awarded scholarships associated with that appropriation.

13 Section 315. For Fiscal Year 2004 Legislative Essay Scholarships will be funded through Fiscal  
14 Year 2003 continuing appropriations.

15 Section 316. During the fiscal year, the Department of Education, with the approval of the State  
16 Board of Education, is authorized to establish and maintain procedures, by regulation pursuant to 14 Del.  
17 C. 3110(c), for the conduct of expedited due process hearings which shall be available to children with  
18 disabilities and their parents where required by federal or state law, and/or departmental regulation. For  
19 the purposes of such expedited due process hearings, during the fiscal year ending June 30, the  
20 Department of Education is authorized to engage the professional services of a cadre of single hearing  
21 officers to preside over such hearings.

22 Section 317. The Brandywine School District Board shall maintain as a stand alone program its  
23 Gifted and Talented Program (also known as the Odyssey Program, formally known as the Brandywine  
24 Academically Gifted Program) at least through the end of the 2004 - 2005 school year. The program shall  
25 be fully maintained at Mt. Pleasant Elementary School and Claymont Elementary School as presently  
26 configured. During this time, the District shall fully support the Odyssey Program in terms of outreach,

1 recruitment, assessment of students for entry into the program, curriculum development, teacher  
2 assignment and other support elements as currently exist.

3 The Board shall make no decision on the future of the Gifted and Talented Program as it relates to  
4 its configuration as a stand alone program at its current locations prior to July 1, 2003.

5 Section 318. The Department of Education shall continue to work towards the collection of  
6 school-level financial data. To this end, when processing transactions in the Delaware Financial  
7 Management System (DFMS), local school districts shall use a standard set of internal budget units and  
8 micro-budget units consistent with the set piloted during Fiscal Year 2003.

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13 SYNOPSIS

14 This Bill is the Fiscal Year 2004 Appropriation Act.  
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